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**Friday, April 2, 1976  
Chaitra 13, 1898 (Saka)**

# **LOK SABHA DEBATES**

**(Sixteenth Session)**



***(Vol. LIX contains Nos. 11-20)***

**LOK SABHA SECRETARIAT  
NEW DELHI**

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## CONTENTS

*No. 19, Friday, April 2, 1976/Chaitra 13, 1898 (Saka)* COLUMNS

### Oral Answers to Questions :

\*Starred Questions Nos. 362 to 364, 366 to 369 and 372 to 374 1—31

### Written Answers to Questions :

Starred Questions Nos. 361, 370, 371 and 375 to 380 31—35

Unstarred Questions Nos. 1837 to 1881, 1883 to 1923 and 1925 to 1935 36—122

Papers laid on the Table 123—25

Assent to Bills 125

### Public Accounts Committee—

Hundred and Ninety-third Report presented 125—26

### Demands for Grants, 1976-77—

#### Ministry of Home Affairs—

Shri K. Bruhmananda Reddy 126—58

#### Ministry of Shipping and Transport— 159—216

Shri Mohammad Ismail 161—66

Shri Shrikishan Modi 176—81

Shri Bharat Singh Chowhan 181—85

Shri Chiranjib Jha 185—89

Shri N.E. Horo 189—91

Shri R. N. Barman 191—95

Shri C. M. Stephen 195—200

Shri Tuna Oraon 200—201

Shri M. C. Daga 201—206

Shri Subodh Hansda 206—10

Shri H. M. Trivedi 210—16

### Committee on Private Members' Bills and Resolution—

Sixty-first Report adopted 216

\*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.



Resolution <i>Re.</i> Changes in the Constitution.	COLUMNS
	217—95
Shri K. Suryanarayana . . . . .	218—23
Shri D. K. Panda . . . . .	222—24
Shri Vayalar Ravi . . . . .	224—27
Shri Dinesh Chandra Goswami . . . . .	227—29
Shri M. C. Daga . . . . .	229—32
Shri B. R. Shukla . . . . .	232—34
Shri K. M. 'Madhukar' . . . . .	234—37
Shri Satyendra Narayan Sinha . . . . .	237—41
Shri Somnath Chatterjee . . . . .	241—44
Shri C. M. Stephen . . . . .	244—48
Shri Narsingh Narain Pandey . . . . .	248—51
Shri Giridhar Gomango . . . . .	251—52
Shri Bhagwat Jha Azad . . . . .	252—56
Shri Amarnath Vidyalankar . . . . .	256—58
Shri P. G. Mavalankar . . . . .	258—61
Shri K. Lakkappa . . . . .	261—62
Shri Sat Pal Kapur . . . . .	262—65
Shri R. P. Yadav . . . . .	265—68
Shri Tha Kiruttinan . . . . .	268—70
Prof. Narain Chand Parashar . . . . .	271—73
Shri K. Narayana Rao . . . . .	273—75
Shri Swami Brahmanandji . . . . .	275—77
Dr. Rudra Pratap Singh . . . . .	277—80
Shri H. R. Gokhale . . . . .	280—88
Shri K. P. Unnikrishnan . . . . .	288—94
<b>Resolution <i>Re.</i> Multinational Corporations—</b>	
Shri H. N. Mukerjee . . . . .	295—96

## LOK SABHA DEBATES

2

### LOK SABHA

Friday, April 2, 1978/Chaitra 13, 1898  
(Saka.)

The Lok Sabha met at Eleven of  
the Clock

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### काशीनों का निर्यात

\*362. श्री कमला मिश्र "मधुकर" :  
क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे  
कि:

(क) क्या विश्व में कालीन का व्यापार  
में भारत का हिस्सा वित्तीय नगण्य है ,

(ख) क्या कालीनो का अधिकतम  
निर्यात करने के लिये सरकार ने कोई कार्य-  
वाही की है; और

(ग) यदि हा. तो तत्सम्बन्धी मुख्य  
बातें क्या हैं ?

वाणिज्य मंत्रालय में उपमंत्री (श्री  
बिश्ननाथ प्रताप सिंह) : (क) ऐसा अनु-  
मान है कि हाथ से गाठ लगाकर बनायी गई  
प्रोटेक्टेड कालीनो के विश्व व्यापार  
की मात्रा 400 करोड़ रु० है। इस बाजार  
में भारत का भाग लगभग 10 प्रतिशत है।

(ख) और (ग) : निर्यातकों को सा-  
मान्य निर्यात प्रोत्साहन उपलब्ध हैं।

विश्वी-सह-अध्ययन दल बुनिन्दा बाजारों  
में संवर्धनात्मक प्रयास करने के लिये भेजे  
जा रहे हैं और विदेशों में प्रदर्शनियों में  
कालीनों के प्रदर्शन की व्यवस्था की जा रही है।  
बड़े पैमाने पर प्रशिक्षण कार्यक्रम द्वारा निर्यातों  
के लिये उत्पादन आधार मजबूत बढ़ाया  
जा रहा है।

श्री कमला मिश्र 'मधुकर' : अध्यक्ष  
जी अपने देश का कालीन दुनिया में ख्याति  
प्राप्त कर चुका था। अंग्रेजों के जमाने में  
मिर्जापुर और दूसरे स्थानों से कालीन लेकर  
पश्चिम जर्मनी, फ्रांस आदि देशों को भेजे  
जाते थे। यह देश का एक ख्यातिप्राप्त उद्योग  
था। लेकिन इसके बाद इसमें गिरावट आ  
गयी और आपने अभी बताया कि  
विश्व में 4 सौ करोड़ रुपए के कालीन का  
व्यापार होता है जिसमें अपने यहां का  
शेअर 10 प्रतिशत है। मैं जानना  
चाहूंगा कि आपने ऐसी कौन सी कार्य-  
वाही की है जिससे देश में कालीन का  
पर्याप्त मात्रा में उत्पादन बढ़े। वह विश्व  
के बाजारों में जाए और ब्रिटेन,  
न्यूजीलैंड, कनाडा, आस्ट्रेलिया, पश्चिम  
जर्मनी आदि देशों को कालीन का एकमपोर्ट  
हो और उसका जरिए फारन एक्सचेंज  
प्राप्त हों ? इस कालीन उद्योग के जरिए  
लाखों लोगों को काम मिल सके, तीन  
लाख लोग अभी इस व्यवसाय में लगे  
हुए हैं। इसका लिए आप कौन से ठोस  
कदम उठाने जा रहे हैं जिससे कालीन  
के उत्पादन में वृद्धि हो सके ?

श्री बिश्ननाथ प्रताप सिंह : पूरे विश्व  
की तैयारी में हम लोगों का दश प्रतिशत

हिस्सा रहा है। हम लोगों का निर्यात बढ़ता जा रहा है। 1972-73 में यह निर्यात 21.44 करोड़ का था। 1975-76 में लगभग 40 करोड़ रुपए के निर्यात की धारा की जाती है। चार वर्ष के अन्दर करीब 100 प्रतिशत की वृद्धि हुई है।

इस उद्योग के विकास के लिए हमने बजट में प्रावधान बढ़ा दिया है। पार साल इसके लिए 40 लाख रुपए रखे गए थे, 1976-77 में 192 लाख रुपया बजट में रखा गया है। इसके अतिरिक्त कालीन उत्पादन के विकास के लिए निम्नलिखित कदम उठाए गए हैं :—

- (1) देश में 46 कारपेट वीविंग ट्रेनिंग सेन्टर खोले गए और 1976-77 में 120 सेन्टर और खोलने का विचार है।
- (2) 12 मार्केटिंग एण्ड सर्विसिंग एक्सटेंशन सेन्टर चल रहे हैं 76-77 में इनकी संख्या में भी वृद्धि की जाएगी।
- (3) एक इंस्टीच्यूट फार कारपेट टेक्नोलोजी भी खोलने का विचार है ; और
- (4) जम्मू, कश्मीर और हिमाचल प्रदेश में कम्बलों के विकास के लिए विशेष योजना बनायी जा रही है।

श्री कमला मिश्र “बबुकर” : अध्यक्ष जी, यद्योही में कालीन बनाने का केन्द्र है जिनके जरिए से देश में कालीन का काम बढ़ा है। अभी आपने बताया कि 40 ट्रेनिंग सेन्टर हड़ने खोले हैं तथा और भी खोलने जा रहे हैं। मैं यह जानना चाहूंगा कि बिहार के मेहसी में जहां प्राचीन काल से कारपेट का उत्पादन होता था, क्या वहां भी कोई सेन्टर खोलने जा रहे हैं।

अध्यक्ष महोदय : एक्सपोर्ट से ट्रेनिंग सेन्टर पर चले गए।

श्री कमला मिश्र “बबुकर” : जब उत्पादन नहीं होगा तो एक्सपोर्ट कैसे होगा। बिहार के ईस्ट चम्पारण में मेहसी स्थान पर कालीन का उत्पादन होता था। क्या वहां पर ट्रेनिंग सेन्टर खोलने की योजना बनायी है जिससे लाखों लोगों को काम मिल सके ?

श्री विश्वनाथ प्रताप सिंह : बिहार में घोबरा स्थान पर एक ट्रेनिंग सेन्टर चल रहा है। 120 नए ट्रेनिंग सेन्टर जो खोले जा रहे हैं उनके स्थान निर्धारण में मूल सिद्धान्त यह रहेगा कि जहां पर यह उद्योग विशेष रूप से चल रहा है, उसके पास पास ये केन्द्र खोले जाएं जिससे कि वहां के उद्योग को लाभ हो।

SHRI RAGHUNANDAN LAL BHATTIA: The Minister has stated that the world trade in carpets is of the order of Rs. 400 crores out of which carpets worth Rs. 300 crores are supplied by Iran alone and Rs. 100 crores by India, Pakistan and other countries. Now the prices of Iranian carpets are very high. There is a big vacuum between the world market and the demand for carpets, and this vacuum has been taken over by Pakistan who have raised their exports to Rs. 100 crores while India reached only Rs. 40 crores. So may I know from the Hon. Minister whether he is prepared to set up a Carpet Corporation which will go into the problems of the carpet industry—into the import and production of yarn and export of carpets etc.? Is he prepared to consider the setting up of a Carpet Corporation—which proposal was mooted some time back?

SHRI VISHWANATH PRATAP SINGH: The development of carpets is taken care of by the Handicrafts Board. The HHEC also com-

tributes to the various aspects of the exports. So at this moment, Government does not consider it necessary to set up a separate Corporation.

So far as competing in world markets is concerned, the Government is taking all necessary measures and in respect, I may mention that though there has been a phenomenal growth in Pakistan's exports of carpets, it should not be forgotten that much of the exports of Pakistan is dependent on imported wool also but we are dependent on our indigenous wool. We are taking Persian designs—220 designs have been got by the HHEC—and they are being supplied to our designers

#### Participation in Poznan International Fair in Poland

\*363. SHRI JAGANNATH MISHRA: Will the Minister of COMMERCE be pleased to state

(a) whether Government have decided to participate in the Poznan International Fair in Poland; and

(b) if so, the estimated expenditure involved?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):  
(a) Yes Sir

(b) The estimated expenditure is Rs. 4.25 lakhs.

SHRI JAGANNATH MISHRA: May I know from the hon. Minister whether a fair was organized in Poland previously also in which India was a participant and if it is so, who was the organizer from India and what went wrong with him? Has the Government taken sufficient precautions this time that those wrongs may not be repeated? In this connection I would also like to know what was the loss or profit from the fair?

SHRI VISHWANATH PRATAP SINGH: This is a question pertaining to the coming fair. We did participate in the last fair but I would need notice for the details of the last fair.

SHRI JAGANNATH MISHRA: I would like to know as to when this fair is going to be held in Poland this time and who is the organizer from India and whether it has been ensured by the Government that no wrong would be committed and the proposed fair would brighten the image of India in international fairs.

SHRI VISHWANATH PRATAP SINGH: This fair is going to be held from 9th to 17th June 1976. We are sure that it will brighten the image of India.

#### Opening of Depots of Controlled Cloth

+

\*364. SHRI N. E. HOBO:  
PROF. NARAIN CHAND  
PARASHAR:

Will the Minister of COMMERCE be pleased to state

(a) whether National Textile Corporation has opened any depots to supply controlled cloth to the poorer sections of people in rural and urban areas; and

(b) if so, the number of depots so far opened in the country particularly in the States of Bihar and Madhya Pradesh?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA):  
(a) and (b). National Textile Corporation has not opened any exclusive depots for supply of controlled cloth. However, it has already opened 9 godowns and 46 retail showrooms there its products, including some quantities of controlled cloth are put on sale. These are in addition to over 250 single mill outlets operated by NTC subsidiaries. One godown is located in Madhya Pradesh and 3 retail

showrooms in Bihar. NTC has also started sale of Jhata cloth at moderate prices which is intended to benefit the poorer sections of the population.

**SHRI N. E. HORO:** The rural people are not getting cloth at the controlled prices and cheaper cloth is not supplied to them because the programme intended to engage the educated unemployed for opening cloth shops has almost failed as the banks have not supplied credit to these people as their policy is not to give loans to persons who live beyond 5 miles from the location of the banks. I would like to know from the Minister whether the Government will utilise the NTC in opening distribution points in all the Panchayats especially in Bihar and within a stipulated period.

**PROF. D. P. CHATTOPADHYAYA:** I have already said that the NTC has at present 250 outlets. Its subsidiaries have another 268 outlets and some other public sector companies like the oil Corporations, Defence canteens, State Civil Supplies Corporations also have 500 outlets distributing the cloth produced by the NTC. So, the total number of the outlets is likely to be one thousand. But I cannot assure at this stage of our programme implementation which is at its initial phase, that all Panchayats will be covered. You will appreciate it will take some time. But already some of the units having outlets are catering to the needs of the panchayats.

**SHRI N. E. HORO:** You will kindly appreciate that the figures and the picture given by the Minister are not correct because the distribution points that he has mentioned are confined to urban areas. I am interested in rural areas. How would you ensure that the rural people, the poor people get cheaper cloth, cloth at controlled price in their areas and they need not come to the cities to get cloth at cheap rates? I want to know from the Government in their areas and they need not come

ernment if they are not able to utilise NTC's services, what other methods will they adopt to supply cheaper and controlled cloth within a stipulated period in the villages and in Panchayats? This is a vital point in 20-point programme. If the Government is not able to do, will they accept their failure to implement the 20-point programme?

**PROF. D. P. CHATTOPADHYAYA:** I would like to inform the House that for the time being NTC because of its very bad financial condition has been exempted from the obligation of producing controlled cloth. Therefore, NTC is not producing controlled cloth at the moment. The question of distribution of its controlled cloth does not arise. But, however, I would like to inform the hon. member that NTC did not have its own distribution outlets in the rural areas because the programme is now i.e., exclusive outlet for the distribution of production of the NTC is a new proposition. But formerly, the controlled cloth produced by the NTC used to be distributed by the general outlets including the State Government approved shops, cooperative shops. Therefore, the production of the NTC did reach the villages when it was producing controlled cloth for the rural areas. But, however, I agree with him that further initiative and more number of outlets are required to cater to the needs of the rural areas and that is being taken care of. That is what I mentioned in my answer.

**SHRI N. E. HORO:** The latter part of my question has not been answered. If you are not able to do, I want to know what Government is thinking in this regard.

**MR. SPEAKER:** What is the other alternative?

**SHRI B. V. NAIK:** In the year 1976 Mahatma Gandhi would have advocated rather than expensive khad-

der common janta cloth for the common masses. I hope the hon. Minister does not brush it aside as a suggestion for action. Since we have in this country a very wide network of Khadi Bhandars, who except for ideological and such other ritual reasons refuse to distribute mill cloth, will come as a positive answer to Mr. Horo's question, please make use of the existing proliferated khadi distribution centres all over the country in small towns, big towns and sometimes even in villages. This organisation is particularly assisted by the Government for the purpose of distribution of controlled janta cloth for the masses of this country.

**PROF. D. P. CHATTOPADHYAYA:** It is a suggestion which will be taken care of.

**SHRI B. V. NAIK:** If it is a suggestion may I know whether it is acceptable to Government or not?

**PROF. D. P. CHATTOPADHYAYA:** This suggestion is constructive and considering the spirit in which it was offered, it will be considered. But I would like to bring to the attention of the hon. Member that there is a distinction between what we call controlled cloth and what he is now saying janta cloth. Now the NTC has a project of its own to produce Janta Fabrics different from controlled cloth. Although the NTC units have been exempted from the obligation of producing controlled cloth, yet NTC has taken up a project of producing janta fabrics which it will distribute at a cheaper rate. It will distribute this at a cheaper rate directly through its outlets so that it can reach the consumer at a comparatively lower price.

**SHRI S. M. BANERJEE:** I am glad that the hon. Minister has accepted the suggestion for which I congratulate him. What I would like to know is this. Has any amount been sanctioned for modernisation? I ask this

question because some of these mills are very old and for modernisation there is no fund.

**MR. SPEAKER:** Modernisation is a separate question. This is only about opening of depots. You may ask question on distribution.

**SHRI S. M. BANERJEE:** Quite apart from modernisation, is the cloth distributed sufficient enough to cater to the needs of the ordinary people and in the case of janta cloth will help be given towards modernisation also?

**PROF. D. P. CHATTOPADHYAYA:** As I have already said, because of poor finance, NTC is not in a position to undertake this. Regarding modernisation, money is allotted. A portion of that money will also go to NTC. Some of its older units could be modernised. Thus they will be in a better position to produce not only controlled but also janta fabrics as I have already stated.

#### Disbursement of Loans by L.I.C. for Housing Schemes

\*366 **SHRI P. GANGADEB:** Will the Minister of FINANCE be pleased to state—

(a) whether LIC has disbursed loans during January, 1976 for several housing schemes; and

(b) if so the total amount thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI):** (a) Yes Sir.

(b) The L.I.C. has disbursed loans amounting to Rs. 15.08 crores during this period.

**SHRI P. GANGADEB:** In view of the fact that the interest rate charged by the LIC for loans given to house-builders is comparatively

higher than those advanced by the Housing Finance Corporations, I would like to know from the hon. Minister, whether Government proposes to reduce the interest rate so as to encourage the housebuilders to go in for the LIC assistance. If not, what stands in the way of not reducing the interest rate especially in the interest of the LIC.

**SHRIMATI SUSHILA ROHATGI:** There is no such proposal before the Government.

**SHRI P. GANGADEB:** I would further like to ask what is the proportion of the loans given to the different income-bracket groups, namely lower, middle and higher. What is the attractive rate and condition; at which these loans are made available to them so as to induce especially the lower income groups to opt for house-building activities in the villages?

**SHRIMATI SUSHILA ROHATGI:** So far the LIC has advanced Rs 580 crores for various housing schemes. By and large these loans given to the State Governments, to HUDCO, etc. have served the interests of the economically weaker sections of society. Regarding the other question of loans being more to those States which have better organisation of cooperative societies and apex bodies, this also is at present under consideration of the Housing Ministry.

**SHRI DINEN BHATTACHARYYA:** May I know whether this loan under the housing scheme includes industrial housing also and if so, whether Government directly helps the industries under the scheme or through the State Governments; if so, what has been the amount spent in the last two years?

**SHRIMATI SUSHILA ROHATGI:** Sir, as I have stated earlier, they would fall under various categories.

**MR. SPEAKER:** Is industrial housing one of those categories?

**SHRIMATI SUSHILA ROHATGI:** Yes, Sir. This is one of them. As regards the question of the hon. Member, only 10 per cent of the investment of the private sector can be there under that scheme. It cannot exceed 10 per cent of the entire investment in the private sector.

**MR. SPEAKER:** Are you channeling the loans through the State Governments or directly?

**SHRIMATI SUSHILA ROHATGI:** These loans are going either through the State Governments or through the HUDCO.

**श्री मन सिंह भौरा :** एल० आई० सी० का जो हाउसिंग लोन है, वह कुछ स्टेट्स में रैस्ट्रिक्टेड है, जहाँ कम पापुलेशन है वहाँ पर नहीं है। जो लॉग शहरो में रहने ह वह और वई जगहों, बँको आदि से लोन ले लेते हैं। क्या आप एल० आई० सी० को इन्स्ट्रुक्ट करेंगे, या आपकी कोई प्लान है, जैसे कि 20 प्वाइन्ट प्रोग्राम में भी प्रायर्टी वी है, कि एल० आई० सी० का पैसा ज्यादातर स्माल सिटीज में और गावों में इस्तेमाल किया जाए ताकि एग्रीकल्चर सेक्टर के और रूरल हाउसिंग के लिए काम में आ सके? मैं जानना चाहता हूँ कि क्या आप इसे वहाँ एक्सटेंड करेंगे।

**श्रीमती सुशीला रोहतगी :** माननीय सदस्य ठीक कह रहे हैं कि वहाँ भी हाउसिंग में बहुत स्कोप है। इसका जितना विस्तार होना चाहिए था वह नहीं हुआ है। इस पर भी एल० आई० सी० विचार कर रही है। मैंने पहले भी कहा था कि एल० आई० सी० लोन बेटी है को-ऑपरेटिव सोसाइटीज के एम्पलाइज को और पब्लिक लिमिटेड कम्पनी को।

**Stations for warning in advance regarding Floods and Storms**

\*387. **SHRI BISWANARAYAN SHASTRI:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the number with locations of stations functioning at different places in the country for warning in advance regarding floods and storms; and

(b) whether these stations cover the entire country?

**THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH):** (a) and (b). A statement is laid on the Table of the House.

#### Statement

(a) The Central Water Commission has established 8 centres at Delhi, Lucknow, Patna, Bhubaneswar, Gauhati, Jalpaiguri, Surat and Hyderabad for formulation and issue of flood warnings. The meteorological support to the Central Water Commission is rendered by the India Meteorological Department through 7 Flood Meteorological Offices functioning at Gauhati, Patna, Bhubaneswar, Jalpaiguri, Lucknow, Delhi and Ahmedabad.

The India Meteorological Department issues warnings for heavy rainfall and strong winds only when they are associated with cyclonic storms or local convective storms. Five centres at Calcutta (Alipore) Bhubaneswar, Visakhapatnam, Madras and Bombay issue warnings against cyclonic storms. In addition, 20 centres are also functioning at Mohanbari, Gauhati, Agartala, Calcutta (Dum Dum), Patna, Bhubaneswar, Lucknow, Delhi (Palam), Delhi (Safdarjung), Jaipur, Srinagar, Bombay (Santa Cruz), Ahmedabad, Nasik, Nagpur, Madras (Meenambakkam), Hyderabad, Bangalore, Visakhapatnam and Trivandrum

aerodromes for warnings against local convective phenomena, like thunderstorms, hail, nor, westerly, dust, storms and tornadoes.

(b) The major flood prone rivers are covered by the Flood Forecasting centres of the Central Water Commission. The entire coastal belt of the country is covered by the India Meteorological Department, as regards cyclone warnings. The major aerodromes are also provided with suitable facilities for local weather warnings.

**SHRI BISWANARAYAN SHASTRI:** Sir, in the statement, it has been stated that the Central Water Commission has established 8 centres at Delhi, Lucknow, Patna, Bhubaneswar, Gauhati, Jalpaiguri, Surat and Hyderabad for formulation and issue of flood warnings. The meteorological support to the Central Water Commission is rendered by the India Meteorological Department

In this context may I know what is the nature of the support that is rendered by the Meteorological Department and whether, by their own strength and support received from the Meteorological Department, those Centres are able to issue primary warning to the people and the government about the floods and storms?

**SHRI SURENDRA PAL SINGH:** Sir, the responsibility of these Centres which are working under the control of the Meteorological Department is to provide basic information in regard to the rainfall and wind direction and the strength of the wind etc. and it is on the basis of this basic information that is supplied by these Centres that the Central Water Commission formulates their views and issues warnings of floods.

**SHRI BISWANARAYAN SHASTRI:** What is the nature of the support that is rendered by the Meteorological Department?



**SHRI SURENDRA PAL SINGH:** The basic information is supplied by all these centres under the control of the Meteorological Department.

**SHRI BISWANARAYAN SHASTRI:** My next question is this. There was an unprecedented flood last year in Bihar and two years back in Assam. I want to know whether those centres established by the Central Water Commission were also able to issue timely warning in those cases and, can the Minister enlighten this House on this matter?

**SHRI SURENDRA PAL SINGH:** It is very difficult for me to tell what happened three years ago because these eight centres are under the control of the Ministry of Irrigation and we come into the picture only because we are jointly connected with this work inasmuch as we provide the basic information and on the basis of that, warnings are given by them about the floods.

श्री रामावतार शास्त्री : भगवन्, 1975 में पटना में पुराने भयंकर बाढ़ आई थी और वहाँ पर आपके केन्द्र भी है। मैं जानना चाहता हूँ कि क्या यह सच है कि आपके डिपार्टमेंट ने वहाँ के नगरिकों को समय पर किसी भी प्रकार की चेतावनी बाढ़ के सम्बन्ध में नहीं दी, जिसकी वजह से करोड़ों रुपए की बर्बादी हुई? भगवन् यह बात सच है, तो आपने इस सम्बन्ध में कौनसी कार्यवाही की है?

श्री सुरेन्द्र पाल सिंह : हमने हमारी जिम्मेदारी तो यह है कि बारिश बगैरह के बारे में जो बार्निंग दी जाती है वह हमने इन 8 सेंटरों को वक़्त पर ज़रूर दे दी थी। अब जो सी० डब्ल्यू० सी० के सेंटर है, उन्होंने टाइमली बार्निंग दी या नहीं दी, इसके बारे में कहना मुश्किल है।

अध्यक्ष महोदय : उन्होंने दी, उसके बाद आप नहीं पहुँची।

**SHRI DINESH CHANDRA GO-SWAMI:** Sir, I feel that while replying to a question it is not proper to shift the responsibility from one Ministry to another when there is collective responsibility. We are interested in tackling the problem of floods. If the Minister is not properly equipped he should get the information from the other Ministry. So far as our experience—coming as we do from a flood affected area—is concerned no warning has been given. Will the Minister at least verify whether such information had been given and if such information had been given and had not been utilised, by which Department it had not been utilised?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** I can assure the hon. Member that there is no attempt whatsoever to shift responsibility to other Ministry. The two are working in close cooperation but the functions are distinctly separate and different. In the one case flood forecasting organisations operate through eight divisions whereas the other is responsible for forecasting of cyclones, heavy rainfall etc. The two have to work in close cooperation. So far as we are concerned we are functioning through the radio and other media in respect of warnings about cyclones and the weather. As regards accuracy of those forecasts, I can tell you that there has been improvement and these days 75 to 80 per cent of the warnings have proved to be correct; five per cent wrong and the rest have been partially correct.

#### + **Cases of Tax Evasion and Undeclared Assets**

\*388. **SHRI S. M. BANERJEE:**  
**SHRI C. K. CHANDRAPPA:**

Will the Minister of **FINANCE** be pleased to state:

(a) whether Government have taken any follow up action to take possession of the undeclared assets and

assess the income tax evasion of the rich people concerned;

(b) if so, the salient features thereof; and

(c) total amount of money Government have assessed as undeclared wealth and taxes collected thereon in last three months as a result of these measures?

**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** (a) Necessary steps, both punitive and preventive, have been taken by the Government to unearth undeclared assets and combat tax evasion from time to time as considered necessary.

(b) and (c). A statement is laid on the Table of the House

#### Statement

(b) The tempo of search and seizure operations conducted by the Income-tax Authorities has been stepped up. The recently enacted Taxation Laws (Amendment) Act, 1975 has introduced amendments in the statute aimed at devising measures for unearthing black money and preventing its proliferation combating tax evasion etc. The Smugglers and Foreign Exchange Manipulators Forfeiture of Property Act, 1976 provides for forfeiture of illegally acquired properties of smugglers and foreign exchange manipulators.

(c) The requisite information is not available and would have to be collected from the Commissioners of Wealth-tax all over the country. This would involve considerable time and labour and may not be commensurate with the results likely to be achieved. However, if the hon'ble Member desires to have specific information in respect of any particular case(s) or area, it can be furnished after collecting the same.

**SHRI S. M. BANERJEE:** Sir, I want to refer you to the last line of the statement:

"However, if the hon'ble Member desires to have specific information in respect of any particular case(s) or area, it can be furnished after collecting the same."

I sent the question one month in advance. So, my desire was that some information be collected. I would like to know after this three months' trial period which has really yielded good results of nearly Rs. 1500 crores what is the net gain to the Government? Is it true the net gain is only 250 crores.

**SHRI PRANAB KUMAR MUKHERJEE:** Sir, we have answered this question many a time that out of the voluntarily disclosed income and wealth the net revenue yield would be of the order of Rs. 248 to 249 crores. Out of this Rs. 160 crores have been deposited and the rest of the amount will be deposited next year. We have also explained about the other benefits in detail earlier. Regarding the first observation of the hon. Member, I would submit that the total number of wealth-tax assesseees in the country is 2.3 lakhs. The hon. Member wanted to know the total amount of money Government have assessed as undeclared wealth and taxes collected thereon in last three months. I think, Sir, unless the hon. Member gives specific information how can I scrutinise those 2.3 lakh assesseees.

**SHRI S. M. BANERJEE:** Sir, I am only interested in Ram Rattan Gupta.

My second question is this. This operation has proved that there is black money to the tune of crores and crores. It may not be just four thousand or six thousand or eight thousand crores. It is definitely more than what has been found after this

successful exercise. I would like to know whether Government have now come to the conclusion that in the final analysis demonetisation is perhaps the only solution which will give them more money than what they get out of all this effort.

**SHRI PRANAB KUMAR MUKHERJEE:** We are aware that black money is operating; we have never claimed that either by voluntary disclosures or by intensifying searches and seizures we have been able to stop the generation and operation of black money completely. We have paralysed it to some extent.

So far as the question of demonetisation is concerned, Government have no intention of demonetisation for the present.

**SHRI S. M. BANERJEE:** For the present.

**SHRI C. K. CHANDRAPPA:** After the adoption of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 in the last session, have Government taken any action so far against any smugglers on the basis of that Act? If so, could we have some details in regard to confiscation or forfeiture of property? Secondly, since there is a promise made in the last part of the statement that if we ask for any specific information, he would furnish it, I would like him to furnish such information in regard to arrears above Rs. 1 million together with the names of the firms and individuals.

**SHRI PRANAB KUMAR MUKHERJEE:** Regarding the first part of the question, we have issued notices to 46 parties and the quantum of property, both moveable and immovable, involved is Rs. 165 lakhs. Action has already been taken. Notices have issued. In due course of time, I will be in a position to tell hon. Members what has been the realisation. It has to be kept in mind that this authority was established and started functioning from the end of January.

Regarding the second part, if the hon. Member has anybody particularly in mind, I can collect the information.

**MR. SPEAKER:** For that a separate question is required.

**SHRI C. K. CHANDRAPPA:** I seek your protection. He says if I ask for specific information about some individuals...

**MR. SPEAKER:** If you want any specific information, you write to him.

**SHRI C. K. CHANDRAPPA:** I want information about arrears over Rs. 1 million. Is it not a specific question?

**MR. SPEAKER:** He may not be having it just now he will collect it.

**SHRI S. M. BANERJEE:** He has already collected it. He evades your instructions.

**MR. SPEAKER:** It is the House which gives instructions.

**SHRI NARSINGH NARAIN PANDEY:** May I know whether he has taken into consideration the various remaining recommendations of the Wanchoo Committee regarding unearthing of black money?

**SHRI PRANAB KUMAR MUKHERJEE:** We have amended the tax law on the basis of the Wanchoo Committee's Report. Quite a number of their recommendations have been incorporated in it.

**SHRI R. S. PANDEY:** As per the Wanchoo Committee's recommendation, Government have appointed a Directorate to decide litigated cases which are pending. What is the progress thereon?

**SHRI PRANAB KUMAR MUKHERJEE:** It is not a Directorate; it is a Settlement Commission. It has come into being on 1st April.

**Export of Natural Rubber by S.T.C.**

\*369. SHRI R. N. BARMAN Will the Minister of COMMERCE be pleased to state

(a) whether State Trading Corporation has been permitted to export natural rubber,

(b) whether the variety intended for export can be used for producing rubber goods within the country, and

(c) if so, the capacity available and how much of it is being utilised?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):  
(a) and (b) Yes Sir

(c) The installed capacity of the Industry for the manufacture of rubber goods during 1975 should be able to consume about 2 lakhs tonnes of natural rubber and synthetic rubber. The actual utilisation of rubber by the Industry during the year has been about 160 000 tonnes

SHRI R. N. BARMAN May I know from the hon Minister whether it is a fact that the rubber price has come down and heavy stock of natural rubber has piled with the growers in the country and this surplus of rubber lying idle can be exported to earn foreign exchange? If so why are Government not exporting all the available surplus rubber of about 12 000 tonnes? What is preventing Government from exporting and helping these rubber growers numbering about 1,50,000 suffering due to the manipulation of the automobile tyre industrialists?

What is the margin of profit that the STC will make per tonne of their exports?

SHRI VISHWANATH PRATAP SINGH It is correct that rubber prices have come down and there are surpluses with rubber growers in the country. We have decided to export some rubber and the STC has already made some purchases and contacting foreign parties for the sale of the same. There

are some constraints. One is that the international price of rubber is much lower than the producer price of Indian rubber, and so, sale of rubber will entail a loss. There is also the financial constraint. There is no question of STC making any profit. The loss would be about Rs 11 lakhs per thousand tonnes of rubber exports.

SHRI R. N. BARMAN May I know whether it is a fact that the automobile tyre companies are not lifting the natural rubber which they need namely 7000 tonnes per month. Is it also a fact that they are lifting only fifty per cent of their needs? What steps do the government propose to compel the tyre companies to fulfil their purchase obligations and to keep a stock for three months?

MR SPEAKER You should stop there you have put the question. You should not read the question.

SHRI VISHWANATH PRATAP SINGH In view of the low offtake of natural rubber the government called a meeting of the tyre manufacturers and the chairman of the rubber board in October when the offtake was of the order of 3928 tonnes. After that meeting the offtake increased to 6652 tonnes and it continued the upward trend in December also when the offtake was 8427 tonnes. Thereafter the offtake started falling down sharply to 7 000 tonnes and in February it came down to 3 000 tonnes and in March also it is the same. The manufacturers in their turn say they have difficulties selling their finished product.

SHRI RAJA KULKARNI In view of the reply given by the hon Minister that even the reduced prices of natural rubber in India are higher than international prices why not the Government think of giving rubber goods manufacturing industry natural rubber at international price by giving a subsidy to the growers of natural rubber instead of exporting rubber at below cost price? In view of the fact that government's present policy is to

encourage exports of processed or semi-processed goods in place of raw material, is it not in the interest of the country to allow rubber goods manufacturers to consume more natural rubber at international price?

**SHRI VISHWANATH PRATAP SINGH:** Government has taken this measure also; it does pay the difference in the price of imported rubber and Indian rubber in the content of the exported rubber goods; but that measure has also failed to have the desired effect.

**SHRI VASANT SATHE** I should like to know if the tyre industry while fixing the price of its goods had calculated the price of natural rubber at Rs. 1,000 per quintal and if so why is it not ensured that this is actually paid to the rubber grower? The hon. Minister himself has stated that today they are not lifting even 3,000 tonnes and so, natural rubber is stockpiling with the grower. Will you ensure that the price which the tyre manufacturers show as Rs. 1000 per quintal while calculating the price of their product, is at least paid to the grower? Can something be done about this?

While Government is making all efforts to strike a balance between the needs of the industry and that of the growers, there is not statutory control yet on the rubber price. The Hon'ble Member has made a suggestion.

**SHRI VASANT SATHE:** This is not a suggestion. The question is that the tyre manufacturers' cost is Rs. 1000/- On that basis the price is fixed. You allowed the fixation and that price is not given to the producers. You say that you are helpless. That means they are cheating you. Otherwise you calculate their cost at Rs. 600.00 and then lower the cost.

**SHRI VISHWANATH PRATAP SINGH:** There has been a newspaper report on the reduction of price of tyres. In fact, this is a matter which relates to the Industries and Civil

Supplies. At present, I am not posted with the facts of the cost of the tyres.

**SHRI DINEN BHATTACHARYA :** He is responsible for all these things. Tyre industry comes under his Ministry.

**MR. SPEAKER:** There should be some co-ordination in this matter; I think.

**SHRI VAYALAR RAVI:** The S.T.C. have been asked to purchase the surplus rubber in the market. So far, they have purchased only a thousand tonnes. The Minister himself has admitted that there is a surplus of about 11,000 tonnes. The surplus quantity has not been used by the tyre manufacturers in the country and we cannot keep the stock for a long time. There are about 1.5 lakh growers who are suffering in the country on account of this. I would like to know from the Hon'ble Minister what would he do with the surplus rubber. What is preventing him from exporting it?

**SHRI VISHWANATH PRATAP SINGH.** when the decision was taken for asking the S.T.C. to get into the market for purchases, the assessment then made was that there would be a surplus of 5,000 tonnes only. A few days back, a review was made and an assessment of over 11,000 tonnes was made. We are seized of this problem and we are reviewing it as to what could be done

#### Proposal to re-structure I.T.D.C.

\*372 **SHRI S. A. MURUGANAN-THAM** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state,

(a) whether Government have any proposal under consideration to re-structure the India Tourism Development Corporation; and

(b) if so, the salient features and objectives thereof.

**THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH):** (a) Yes Sir

(b). A note giving the terms of reference of the Committee appointed for this purpose is laid on the Table of the House. The report of the Committee is awaited.

#### Statement

#### TERMS OF REFERENCE OF THE COMMITTEE APPOINTED TO CONSIDER RESTRUCTURING OF INDIA TOURISM DEVELOPMENT CORPORATION

"To review the working of the India Tourism Development Corporation and its main constituents Units, in the light of the observations made by the Public Undertakings Committee of the Parliament in its 51st Report

To examine the organisational and administrative structure of the India Tourism Development Corporation with particular reference to its existing and proposed activities in the Fifth Plan period and to suggest changes that should be made for the more efficient fulfilment of the objectives of the Corporation and the expeditious implementation of its programmes'

Within the foregoing general framework, the Committee was also to examine,

- (a) the scope of India Tourism Development Corporation's existing activities and proposed additions in the Fifth Plan
- (b) the present organisational structure including line of command and delegation of powers to different levels
- (c) the increase in higher management personnel required at different levels in the Fifth Plan, including the revision of

scales of pay as a consequence of the Third Pay Commission (since revised),

- (d) a revised organisational structure, whether divisional in form or consisting of subsidiary units, the level at which Managers of Divisions and/or subsidiary units should be, delegation of powers, internal reporting and control system

The Committee was also to look into the Transport Division

**SHRI S. A. MURUGANANTHAM:** ITDC have been incurring continued loss. What concrete steps are being taken to make the industry profitable?

**SHRI SURENDRA PAL SINGH:** ITDC has been making profit from 1973-74. The profit made by them is to the extent of Rs 68.00 lakhs. So, the organisation is making profit.

**SHRI S. A. MURUGANANTHAM:** What is the total outlay earmarked during the annual plan for 1976-77 for the development of ITDC hotels? Which are the new projects proposed to be taken up during the year 1976-77?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** So far as the ITDC is concerned the authorised capital is Rs 3000 crores. Paid up at the moment in this particular year that is 1974-75 is a little over Rs 11,19,000. Apart from this there is a loan of about Rs 633.91 lakhs at the end of 1975.

**SHRI P. G. MAVALANKAR:** The Minister has made a statement which does give the terms of reference of the Committee and other aspects of the matter. May I know from him whether the ITDC with its present and expanded operations and machinery will be able to do things run as a public corporation with profits wherever possible and develop tourism, both internal and foreign, in

our country, because it seems to me that in the recent past although it has done a good job, much remains to be done in these two areas?

**SHRI RAJ BAHADUR:** The essential purpose for which this organisation was brought into being was to fill up the gaps in the infrastructure for the facilities for tourists in hotel accommodation, transport, entertainment and other facilities. That is exactly what we are doing. It cannot take up the entire business by itself but we have tried to do it. That is the main objective. The profits have also increased this year. In fact as against Rs 38.16 lakhs in the previous year, this year the profits are Rs 73.44 lakhs. For the first time it has been able to pay a dividend on the equity amounting to Rs. 25 per share.

**श्री सरजू पांडे :** अध्यक्ष जी, हमारे देश में टुरिज्म (पर्यटन) का जितना विकास होना चाहिए वह नहीं हुआ है। खास तौर से हमारे पूर्वी उत्तर प्रदेश में बस्ती, गोरखपुर आदि जिलों में बहुत से पर्यटन के स्थान हैं, लुंबिनी भी है लेकिन वहां पर पर्यटकों के लिए न तो कोई होटल है और न कोई दूसरी व्यवस्था ही है। मैं मंत्री को मे जानना चाहता हूं कि पांचवी पंचवर्षीय योजना में पूर्वी उत्तर प्रदेश के इन स्थानों में पर्यटन का विकास करने की कोई योजना है क्या ?

**श्री राज बहादुर :** यात्रियों को सुविधा देने के लिए सरकार को चेष्टा है कि अधिक से अधिक जो कुछ भी किया जा सकता है वह किया जाये। एक जापानी सांख्यिकीय संस्था है, उससे बात हो रही है और उससे कोलैबोरेशन करके तीन चार जगह पर होटल बनाने की तजवीज है।

**SHRI S. M. BANERJEE:** With the exception of Ranjit Hotel, all ITDC hotels in Delhi are making profits and they are really competing with other hotels which in my opinion should have been taken over by the government. May I know what concrete steps have

been taken to change the persons who are in charge of some of the ITDC hotels and substitute them by bringing technocrats who know the job and who may improve the working of the hotels?

**SHRI RAJ BAHADUR:** We are trying to bring people with necessary expertise and background to manage the affairs of the ITDC. That is all I can say.

#### Clearance of Rubber stock piled with the Rubber Growers

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\*373. **SHRI K. LAKKAPPA:**

**SHRI M. RAM GOPAL REDDY:**

Will the Minister of COMMERCE be pleased to state:

(a) whether the Kerala Government has sought the help of the Centre for clearance of rubber stock piled with the rubber growers; and

(b) if so, Central Government's reaction thereon?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) Yes, Sir.

(b) Government have allowed the S.T.C. to purchase some rubber from growers for export.

**SHRI K LAKKAPPA:** May I know, in the request of the Kerala Government seeking the help of the Central Government for clearing the rubber stockpile, what are the reasons set out by Kerala Government for the recent unprecedented piling of rubber stock with the growers?

**SHRI VISHWANATH PRATAP SINGH:** The reasons are two-fold. Firstly, the consumption of natural rubber has come down as compared to last year. During April-December 1973 the consumption was 94,681 tonnes as compared to 98,147 tonnes last year. In the same period, production of natural rubber has gone up from 1,01,122



tonnes last year 1,06,998 tonnes this year. The second reason is, the distribution of the stock with various States, dealers and manufacturers as it was envisaged, has been disturbed. It was envisaged that 2½ months stock should remain with the manufacturers. The present stock with them as estimated is much less.

**SHRI K LAKKAPPA** I am not satisfied with the answer. This question could have been clubbed with the other question.

**MR SPEAKER** Nobody asked for it.

**SHRI K LAKKAPPA** Between the growers and manufacturers—the four big foreign tyre companies—whom will you choose for giving your support? The four foreign tyre companies are mainly responsible for the piling of rubber stocks with the growers and you are hearing the dictates of those four foreign companies. That is what is happening in Kerala and elsewhere. Will you hear the dictates of the four foreign tyre companies or will you come to the rescue of the poor growers in Kerala and elsewhere in the country? Whom will you choose? You know how the foreign companies are operating. They are even manipulating the transport charges.

**SHRI VISHWANATH PRATAP SINGH** We are under no dictates.

**MR SPEAKER** You have unnecessarily made the question very long. The minister can answer only this namely, what steps he is taking to protect the interest of the rubber growers.

**SHRI VISHWANATH PRATAP SINGH** That is why STC is purchasing rubber and exporting it.

**SHRI N K SANGHI** One thing is clear. There is glut in the production of natural rubber. May I know whether your ministry has taken up the matter with the Finance Ministry to reduce the excise duty which is

very heavy? That is also one of the reasons. Have you taken up the question with the Finance Ministry to reduce the excise duty so that the sale of rubber products like foam rubber etc. could be increased?

**SHRI VISHWANATH PRATAP SINGH** Some selective excise concessions have been given.

### Unethical Practices by Banks for Securing Deposits

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\*374 **SHRIMATI PARVATHI KRISHNAN**  
**SHRI BISWANATH JHUNJHUNWALA**

Will the Minister of FINANCE be pleased to state

(a) whether Reserve Bank of India has found banks including some nationalised banks, indulging in unethical practices for securing deposits; and

(b) the steps taken by Government against those banks?

**THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE & BANKING (SHRI PRANAB KUMAR MUKHERJEE)** (a) and (b) A statement is laid on the Table of the House.

### Statement

Reserve Bank of India have reported that some instances have come to their notice of banks offering interest on savings bank accounts of institutions which are not otherwise eligible to receive interest on saving accounts or of offering unduly large gifts or prizes and other incentives under their special schemes for mobilising deposits. Reserve Bank of India have advised the banks against the introduction of scheme under which prize or gift element is unduly large and the quantum of prizes and interest payable are calculated on the basis of deposit targets to be achieved rather than the volume of deposits actually collected. Whenever instances of banks



paying interest on savings accounts of institutions come to the notice of the Reserve Bank, concerned banks are asked to take immediate corrective action.

**SHRIMATI PARVATHI KRISHNAN:** The statement does not say what steps have been taken against those banks which have been giving interest on saving bank accounts of institutions etc.? The statement says that a great deal of advice is being given to them. I want to know what steps and action have been taken against them so that the advice given to them is acted upon?

**SHRI PRANAB KUMAR MUKHERJEE:** The advice of the Reserve Bank is more or less a directive to the other commercial banks so far as interest rates and other matters are concerned. We are fully aware of the problem and we are looking into it.

**MR. SPEAKER:** The Question Hour is over.

#### WRITTEN ANSWERS TO QUESTIONS

##### Exports to U.S.A.

\*361. **SHRI D. D. DESAI:** Will the Minister of COMMERCE be pleased to state:

(a) whether the Engineering Export Promotion Council has suggested to Government to allow it to stock goods worth Rs. 100 crores in United States of America to promote exports to that country; and

(b) if so, Government's reaction thereto?

**THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA):** (a) and (b): The Engineering Export Promotion Council's recent delegation to U.S.A. has suggested that warehousing facilities for certain engineering items are necessary in U.S.A. However, no concrete proposal has been received by the Government.

##### Sivaraman Committee Report on Handloom Industry

\*370. **SHRIMATI BHARGAVI THANKAPPAN:** Will the Minister of COMMERCE be pleased to state:

(a) whether Government have taken a final decision on the Sivaraman Committee Report regarding Handloom Industry; and

(b) if so, the main features thereof?

**THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA):** (a) Yes, Sir.

(b) Government's decisions on the recommendations of Sivaraman Committee Report have been announced in the Government of India Resolution No. 4/59/74-Tex.IV published in the Gazette of India, Extraordinary, dated the 24th October, 1975, which is available in the Parliament Library.

##### Export of Sardines and Mackerel

\*371. **SHRI VARKEY GEORGE:** Will the Minister of COMMERCE be pleased to state:

(a) whether his Ministry has explored the potentialities of export of Sardines and Mackerel to the Persian Gulf countries; and

(b) if so, the result thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) and (b): A Sales-Team sponsored by the Marine Products Export Development Authority is currently exploring the market for Sardines and Mackerel in Bahrain, Kuwait, Iran, Iraq and Saudi Arabia.

##### Amalgamation of weak Textile Mills with Healthy Ones

\*375. **SHRI M. KATHAMUTHU:** Will the Minister of COMMERCE be pleased to state:

(a) whether Government have a proposal under consideration to amal-

gamate weak textile mills with healthy ones; and

(b) if so, the main features thereof?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA).

(a) and (b): There have been suggestions for amalgamation of weak cotton textiles mills with comparatively better mills, in order to improve the health of the industry. The suggestions are under examination.

**Export Orders booked at Buyer-Seller meet in Dallas**

\*376. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of COMMERCE be pleased to state:

(a) whether Indian firms have booked export orders at Buyer-Seller Meet in Dallas which concluded in February, 1976;

(b) if so, the broad features with total value thereof; and

(c) whether Dallas Meet has provided opportunities to Indian exporters to explore new markets in the South Western part of USA for many of their products?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) Orders worth Rs. 0.88 crores were booked for supply of Industrial Fasteners, casting and Forgings, Home Furnishings, Readymade Garments, Costume Jewellery, Handicrafts, Leather Goods, Hardware, and Hand Tools.

(c) Yes, Sir.

**Import of Raw Jute from Thailand**

\*377. DR. RANEN SEN: Will the Minister of COMMERCE be pleased to state:

(a) whether recently India has concluded contracts with Thai exporters for import of raw jute; and

(b) if so, the salient features thereof?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA):

(a) Yes, Sir.

(b) On 23rd January, 1976, Jute Corporation of India entered into contracts for import of 7750 tonnes of Kenaf (Mesta) from Thailand.

**Profit Earning Method of Jute Mill Owners**

\*378. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of COMMERCE be pleased to state:

(a) what steps Government propose to take to resist the high profit earning method of jute mill owners; and

(b) whether procurement price of raw jute from jute growers is proposed to be increased?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA):

(a) A study of the finances of 44 jute mills from 1970-71 to 1973-74 made by the R.B.I. has revealed that in 1973-74 a loss of Rs. 476 lakhs before tax had been incurred by these companies. Gross profit as a percentage of total net assets employed was also found to be poor when compared to other industries which were subject of the study.

(b) Procurement price for raw jute is not fixed by Government although each year the statutory minimum price is fixed on the basis of the recommendations of the Agricultural Prices Commission. There has been a successive increase in the statutory minimum price for raw jute fixed over the years.

**Export of Indian Toys**

\*379. SHRI SARJOO PANDEY: SHRI CHANDRIKA PRASAD:

Will the Minister of COMMERCE be pleased to state:

(a) whether nearly three years ago a report of the Indian Institute of

Foreign Trade was submitted to his Ministry spelling out the potentiality of exporting Indian toys abroad; and

(b) steps taken to export Indian toys abroad?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). The Indian Investment Centre, New Delhi had submitted to the Government of India in 1973 a Report on "Survey of India's Export Potential of Toys and Decorations".

The following steps have been taken to promote the export of Indian toys —

- (i) Raw materials not available indigenously are allowed to be imported by Registered Exporters of toys of all kinds
- (ii) A package of incentives is offered by the Government to promote exports of toys which fall in the category of handicrafts.
- (iii) The Design Centres of the All India Handicrafts Board have been working on the production of designs for Indian character dolls and wooden lacquer toys.

#### Accumulation of Controlled Cloth with Mills,

\*380. SHRI HARI KISHORE SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether there is accumulation of controlled cloth with various mills,

(b) if so, the reasons therefor, and

(c) the steps taken by Government to rectify the situation?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA)

(a) to (c). Stocks of controlled cloth, unsold as well as sold but remaining unfilled with the mills, have already come down to about 48,000 bales at the end of February 1976, from the level of about 96,000 bales at the end of July 1975.

#### बिट फंड कम्पनियाँ

1837. श्री लक्ष्मीनारायण पांडेय : क्या रित मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या अनेक बिट फंड कम्पनियाँ ने एक बड़ी धनराशि एकत्र कर अपने कार्यालयों को बन्द कर दिया है;

(ख) क्या उक्त कम्पनियों ने इस प्रकार लोगों से बड़ी धनराशि एकत्र कर हजारों लोगों को ठगा है; और

(ग) यदि हाँ, तो सरकार ने उक्त कम्पनियों के विरुद्ध क्या कार्यवाही की है ?

राजस्व और बैंकिंग विभाग के प्रभारी राजेश शर्मा (श्री प्रणव कुमार मुन्नाजी) : (क) से (ग). भारतीय रिजर्व बैंक ने सूचित किया है कि कुछ रेमी गिफ्टों मिली हैं कि इनामी बिट और लाभकारी योजनाएँ चलाने के निम्न अमानक बन गयीं कुछ कम्पनियों ने अपनी स्थापना के बाद, सदस्यों को उनकी देा रकम का भुगतान किन्हीं बगर हो कारोबार बन्द कर दिया है अथवा कुछ शाखाओं को बन्द कर दिया है।

जमाओं के लेन देन, कम्पनियों और प्रत्येक जमाकर्ता के बीच एक कगार जैसे होते हैं इनलिए कगार-भग के मामलों में प्रभावित पक्षों को जो मानान्य कानूनी उपाय उपलब्ध होते हैं वे ही वे भी प्रयोग करने हैं।

इस सम्बन्ध में, भारतीय रिजर्व बैंक ने सूचित किया है कि विविध गैर-बैंकिंग कम्पनियों को उसने जो निदेश जारी किए हैं उनमें केवल वह सीमा बताया गई है जिस तक, कम्पनियों द्वारा, अपने स्वामित्व की शुद्ध बिट के अनुदान में जनार्ण स्वीकार को जा सकती हैं। इन निदेशों से उन संस्थाओं को कुछ प्राप्त है जो परम्परागत बिट कम्पनियों

द्वारा सिद्ध होते हैं। इन कम्पनियों पर राज्य सरकारों द्वारा नियंत्रण रखा जाता है। यह जल्द ही कि परम्परागत विधियों के विनियमन के लिए केवल कुछ छोटे राज्यों में ही विधान बनाये गये हैं।

सरकार ने बैंक बैंकिंग कम्पनियों विषयक अध्ययन दल की इस सिफारिश को स्वीकार कर लिया है कि दलामी विदे नामधारी योजनाएँ आदि चलाने पर पूरी तरह प्रतिबन्ध लगा दिया जाना चाहिए। सरकार ने इस सम्बन्ध में उचित विधान बनाने का काम हाथ में ले लिया है।

परम्परागत चिट फण्ड कम्पनियों के बारे में बैंकिंग आयोग ने सिफारिश की है कि व्यापार का नियमन करने के लिए एक आदर्श विधान बनाया जाना चाहिए और जब तक यह आदर्श विधान बने तब तक जिन राज्यों ने ऐसा विधान नहीं बनाया है वे यथासंभव अन्य राज्यों के विधानों का प्रभाव से होते हैं। तदनन्तर जब बैंक राज्य सरकारों को लिख जाता है। बैंक बैंकिंग कम्पनियों विषयक अध्ययन दल की सिफारिशों को ध्यान में रखा गया आदर्श चिट फण्ड विधेयक भेजा गया था। उसने सिफारिश की है कि उसका अधिनियम अन्तर्गत विधान के तहत किया जाय तथा उसका प्रभाव राज्यों और संघीय राज्य क्षेत्रों पर छाड़ दिया जाय। यह सिफारिश भी सरकार ने स्वीकार कर ली है और सरकार उसे कार्यान्वित करने की तैयारी कर रही है।

#### Setting up of New Offices by L.I.C

1938 SHRI D. K. PANDA Will the Minister of FINANCE be pleased to state-

(a) whether in view of the tremendous expansion of its business by Life Insurance Corporation of India, there

has been corresponding setting up of new offices by L.I.C particularly in backward areas; and

(b) if so, the number of such servicing offices opened by L.I.C last year?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) New business (individual assurances) in India of the L.I.C has increased from Rs 1216 crores during 1970-71 to Rs 1761 crores during the year 1974-75. The number of its servicing offices has registered an increase from 539 as on 31st March 1971 to 630 as on 31st March 1975

(b) 21 new servicing offices were opened during the year 1974-75. However with a view to control expenses, no new servicing office was opened during 1975-76

#### Travelling Allowance to Central Government Officers

1639 SHRI VASANT SATHE Will the Minister of FINANCE be pleased to state

(a) whether Government propose to amend the Supplementary Rules (to Fundamental Rules) relating to travelling allowance by Government servants making it obligatory for the officers to present cash receipt for the rail journeys in first class, and

(b) the steps taken or proposed to check bogus claims by officers?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) No Sir

(b) There are adequate safeguards to prevent abuse of the rules. The controlling officers are required to satisfy themselves in such matters and, where they have doubts, it is open to them to call for such further information or material as they consider necessary

### मध्य प्रदेश से बाबू की बाग

1840. श्री बाग चरण दीक्षित : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) हाल में मध्य प्रदेश में विभिन्न काउन्टों के धागे की मांग सम्बन्धी प्राकड़े क्या थे;

(ख) क्या गत एक वर्ष में मध्य प्रदेश के बहुत से बुनकरों और फैक्टरियों को पर्याप्त मात्रा में धागा सप्लाई नहीं हुआ;

(ग) गत दो वर्षों में कुल मांग को किस हद तक पूरा किया गया; और

(घ) समूची मांग की पूर्ति हेतु क्या कार्यवाही की गई है ?

वाणिज्य मंत्रालय में उपस्थिति ( श्री विश्वनाथ प्रताप सिंह ) : (क) से (घ) . देश में सूती धागे के उत्पादन / वितरण पर कोई नियन्त्रण नहीं है ।

### Profits earned by U.S. Firms in India

1841. SHRI NOORUL HUDA: Will the Minister of FINANCE be pleased to state:

(a) whether a recent World Bank Survey has found that the rate of return of U.S. manufacturing industries in India has shown an upward trend from 7.5 per cent in 1967 to 15.8 per cent in 1972, which is a higher rate of return the U.S. investors earned in Canada, Europe, Latin America, Philippines, Australia and New Zealand;

(b) whether Government are considering that the foreign investors in India do not earn unusually high rate of profits; and

(c) if so, whether Government propose to adopt any corrective measures?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) It is understood that the World Bank has not conducted any survey about the rate of return on U.S. manufacturing industries in India and other countries. However, according to the Survey of Current Business published by the U.S. Department of Commerce, profitability of U.S. investments abroad in manufacturing industries in India has shown an increase from 9.6 per cent in 1967 to 15.8 per cent in 1972. While this is a higher rate of return compared to U.S. investments in some countries, in some other countries U.S. investors have earned higher rate of return than in India.

(b) and (c). Government's policy is not to deny remittances of profits and dividends earned by foreigners on their investments in India subject to the payment of Indian taxes.

### Stocks held by S.T.C. and M.M.T.C.

1842. SHRI S. R. DAMANI: Will the Minister of COMMERCE be pleased to state:

(a) the break-up of stocks held by State Trading Corporation and Minerals and Metals Trading Corporation, quantity and value-wise as on 31st December, 1975 of all items where its value is more than Rs. 5 lakhs;

(b) how much of it was held for more than (i) six months and (ii) more than one year;

(c) the overheads incurred on them on account of interest, storage and insurance;

(d) how much of the stock is considered absolutely necessary to meet demand from off the shelf; and

(e) the reasons for which the balance was not disposed of?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINCH): (a) and (b). A statement is attached.

(c) Overhead expenses on storage, interest and insurance, etc., cannot be apportioned itemwise.

(d) The stocks held are generally within the normal limits necessary for

meeting promptly the requirements of actual users.

(e) There was some accumulation of stocks in 1975 due to lower off-take by consumers because of recessionary trends.

#### Statement

Item	(Qty. in tonnes)					
	Total stock held on 31-12-75		Stocks between 6 & 12 months		Value in lakhs of rupees Stocks more than one year	
	Quantity	Value	Quantity	Value	Quantity	Value
<i>State Trading Corporation</i>						
1 Oils and fats	6,385	2097.23	4008	326.23	Nil	Nil
2 Chemicals	7,836.81	913.11	1107.12	101.77	2936.34	321.16
3 Drugs & Pharmaceuticals	607.51	436.85	131.70	29.80	91.65	26.61
4 Newsprint	26,641	1065.64	14378	575.12	4086	163.44
5 Greasy wool & acrylic yarn/fibre	*	259.30	*	..	*	259.30
6 Miscellaneous items	*	63.36	*	0.58	*	33.20
<i>Minerals and Metals Trading Corporation</i>						
1 Fertilizers	15,800	102.42	11800	72.42	..	..
2 Steel	4,000	1200.50	2600	780.33	..	..
3 Non-ferrous metals	23,693	3854.72	4624	763.80	..	..
4 Rough Diamonds	*	213.00	..	..	..	..
5 Platinum	*	30.21	..	..	..	..
6 Palladium	*	112.97	..	..	..	..

\*Quantities are in different units and hence not indicated.

#### Retirement age in Public Sector Undertakings

1843. SHRI SURENDRA MOHANTY: Will the Minister of FINANCE be pleased to state:

(a) whether in some of the Public Sector Undertakings like the Indian Telephone Industries and others, the retirement age of Officers is 60 years as against 58 for the Central Government employees;

(b) if so, the names of all such undertakings;

(c) whether Government are aware that Officers who manage to go on deputation to these Public Undertakings before their retirement can continue upto 60 years in these Undertakings; and

(d) if so, the measures Government propose to take to remove the dis-



43. **Written Answers** **APRIL 2, 1976**  
 parity in the retirement ages in Central Government Services and the Public Sector Undertakings?

**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI):** (a) and (b). Bureau of Public Enterprises had recently addressed the various Central Government Public Enterprises for ascertaining information on the age of superannuation adopted by them. Information has been received almost all Public Enterprises and it is seen that out of a total of 119 Enterprises, from whom replies have been received, the general age of superannuation is 60 years for the employees including Officers, only in about half a dozen Public Enterprises viz.:

1. Cochin Shipyard Limited;
2. Indian Rare Earths Limited;
3. Lubrizol India Limited;
4. Mogul Lines Limited;
5. National Newsprint and Paper Mills Limited;
6. Hindustan Shipyard Limited,
7. Shipping Corporation of India.

The position regarding Indian Telephone Industries specifically referred to by the Hon'ble Member, is that the age of superannuation in the Company is 58 years, but the Company may require an employee to retire at any time after he attains the age of 55 years on three month's notice without assigning any reason, and moreover an employee who attains the age of 58 years may be continued in service upto the age of 60 years subject to medical fitness at the end of each year.

(c) In the case of Government Officers on deputation to Public Enterprises, the Superannuation age is 58 years, the same as would have been applicable to them in the Government. In the case of Government Officers who had originally gone on deputation to a Public Enterprise and who might have got absorbed therein the superannuation age is the same as for the

**Written Answers** **44**  
 other Officers of the concerned Enterprise. In other words, where the superannuation age is 60 years for the officers in an enterprise this applies to the Central Government deputationists who might have got absorbed in the Enterprises as also to the other regular officers of the enterprise.

The cases of extensions in service/re-employment beyond the applicable superannuation age in respect of all such officers are decided by the concerned enterprises, subject, however, to the condition that approval of the Government is to be obtained by the enterprises in the cases of proposals relating to extension in service/re-employment of persons, who have attained the age of 58 years, where the pay (including pension and pensionary equivalent of retirement benefits) proposed to be allowed exceeds Rs. 2500/- p.m.

(d) The feasibility of bringing about modification in the superannuation age in the public enterprises in line with what is applicable to Central Government servants in enterprises where it is now different from the same is under examination so that the necessary rationalisation is achieved with regard to the policy followed by the enterprises in this area.

#### **Setting up of Free Port at Port Blair**

**1844. SHRI SHYAM SUNDER MOHAPATRA:** Will the Minister of COMMERCE be pleased to state:

(a) what has been the fate of Trade Development Authority blueprint on making Port Blair a free port;

(b) whether Government have given their concurrence to it; and

(c) if so, the main features of the plan?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) to (c). The Trade Development Authority has made a feasibility study on the proposal for a free port on Nicobar Islands. The Government are examining the report.

**Outstanding Applications for Compensation for Properties left in Former East Pakistan and West Pakistan**

1845. SHRI SAMAR GUHA: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have drawn out any scheme for dealing with outstanding applications for compensation for properties left in former East Pakistan and West Pakistan during the year 1976-77;

(b) if so, facts thereabout;

(c) whether recommendations made by the Regional Committee regarding such applications in respect of properties left in former East Pakistan have been implemented;

(d) if so, facts thereabout; and

(e) the latest figures regarding outstanding applications from the two areas awaiting settlement?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). The *ex-gratia* scheme drawn up by Government in April 1971, is in force. All efforts are made to settle the outstanding claims as expeditiously as possible.

(c) and (d). No Regional Committee in this regard has been formed. However, weightage is given to the recommendations of the Panel which has been set up to verify the claims in respect of lands and buildings

(e) Total number of outstanding applications as on 29th February, 1976 is 2895.

**Trade Agreements during 1975**

1846. SHRI K. MALLANNA: Will the Minister of COMMERCE be pleased to state:

(a) the names of the countries with which trade agreements have been signed during the year 1975; and

(b) the names of items that have potential for export to these countries and the names of items which are actually included in the agreements for being exported to these countries?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Pakistan, Afghanistan, Romania.

(b) Articles actually included in the agreements for export from India: Tea, Bidi leaves, Cigars and Cigarettes, Tobacco (raw and manufactured), Cardamon (Big and Small), Pepper, Cotton Textiles, Iron and Steel products, Engineering goods, jute manufactures, Coal, rice, railway equipment and track material, Leather Manufactures, Shellac, tanned and semi-tanned hides and skins, groundnut cakes, Groundnut HPS etc.

Articles having potential for export from India:

Iron ore, pig iron, jute goods and Hessians, Mica and Mica products, machine tools, Fruits and vegetable, Meat and Meat products, Tea, Coffee, textiles, Chemicals, drugs and pharmaceuticals, Coal, railway equipment and track material, Coir and Coir products, Agricultural products, Fabrics, Ropes, Artificial porcelain teeth, synthetic stones, postage stamps, refined mineral oils, Bichromates, Firebricks and fireclay etc.

**सीब स्वामी पर जमानों/बंगलों का निर्माण**

1847. श्री भगीरथ भंडार : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में किम-किम हिन्दु तीर्थ स्थान पर पर्यटन विभाग ने सस्ते विरायें के मकानों अथवा बंगलों का निर्माण किया है;

(ख) क्या यह पता लगाने के बारे में कोई सर्वेक्षण कराया गया है कि किन-किन स्थानों पर ऐसे मकानों अथवा बंगलों की अधिक संख्या में आवश्यकता है; और



(ग) देश में महत्वपूर्ण तीर्थ स्थानों पर उनके मंत्रालय द्वारा क्या सुविधाएँ दी गई हैं ?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र काल सिंह) : (क) से (ग) . जबकि केन्द्रीय क्षेत्र की पर्यटन योजना में अन्तर्राष्ट्रीय पर्यटन की अधिवृद्धि पर बल दिया जाता है, देशीय पर्यटकों के लिए सुविधाओं का विकास करना राज्य सरकारों का उत्तरदायित्व है। अतः देशीय तीर्थ यात्रियों के लिए सुविधाओं का विकास करने का कार्य राज्य सरकार के क्षेत्र में आता है। इस प्रकार से, हिन्दू तीर्थ स्थानों तथा उन स्थानों पर अपेक्षित आवास-स्थान का पता लगाने के लिए पर्यटन विभाग द्वारा कोई सबंक्षण नहीं किया गया है। तथापि, आवास व्यवस्था के उद्देश्य के पठनपुर तथा शिरडी में व्यवहार्यता अध्ययन किए गए थे। उक्त अध्ययन के परिणामों से केन्द्रीय क्षेत्र में इन स्थानों पर पर्यटक बंगलों का निर्माण प्रारंभ करने का औचित्य स्थापित नहीं हुआ।

परंतु, चौथी योजना तथा वर्तमान योजना के दौरान केन्द्रीय क्षेत्र में कुछ ऐसे महत्वपूर्ण तीर्थ स्थानों पर जो अन्तर्राष्ट्रीय पर्यटकों को भी आकर्षित करते हैं आवास व्यवस्था के रूप में सुविधाएं प्रदान की गयी हैं। ये स्थान हैं: अमृतसर, मंत्रालय, पुरी, रामेश्वरम तथा वाराणसी।

भारत पर्यटन विकास निगम द्वारा  
मध्य प्रदेश के विभिन्न स्थानों  
पर होटलों का निर्माण

1848. श्री हुसैन खन्व कछवाय : क्या पर्यटन और नागर विमानन मंत्री मध्य प्रदेश में महत्वपूर्ण नगरों के पर्यटन केन्द्रों के रूप में घोषणा करने के बारे में 9 जनवरी, 1976 के अन्तर्राक्त प्रश्न संख्या 423

के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश के खजुराहो, सांची और मांडू के पर्यटन केन्द्रों के रूप में घोषणा हो जाने को ध्यान में रखते हुए, पांचवीं योजना के दौरान सरकारी क्षेत्र में होटलों का निर्माण करने का भारत पर्यटन विकास निगम का कोई प्रस्ताव है ;

(ख) उक्त भाग (क) में उल्लिखित स्थानों पर भारत पर्यटन विकास निगम इस समय कितने होटल चला रहा है ;

(ग) क्या भोपाल में एक बड़े होटल का निर्माण करने संबंधी प्रस्ताव को सरकार ने अंतिम रूप दे दिया है ; और

(घ) यदि हां, तो तत्संबंधी मुख्य बातें क्या हैं ?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री ( श्री सुरेन्द्र काल सिंह ) : (क) जैसा कि 9 जनवरी, 1976 को निश्चित प्रश्न संख्या 423 के उत्तर में पहले ही बताया जा चुका है, ऐसी कोई निर्धारित प्रणाली नहीं है जिसके द्वारा स्थानों को पर्यटक केन्द्रों के रूप में घोषित किया जाता हो। केन्द्रीय क्षेत्र में पर्यटन केन्द्रों का विकास इन आधार पर निर्धारित किया जाता है कि क्या वे अन्तर्राष्ट्रीय पर्यटकों के लिए लोकप्रिय हैं अथवा उनमें अन्तर्राष्ट्रीय पर्यटकों को आकर्षित करने की संभावना है। भारत पर्यटन विकास निगम की पांचवी पंचवर्षीय योजना में मध्य प्रदेश में खजुराहो, सांची तथा मांडू में नयी होटल प्रायोजनाओं के निर्माण के लिए कोई व्यवस्था नहीं की गयी गयी हैं।

(ख) भारत पर्यटन विकास निगम इस समय खजुराहो में एक होटल तथा सांची और मांडू में एक-एक यात्री लाज चला रहे हैं।

(ग) और (घ). भारत पर्यटन विकास निगम की पांचवीं वार्षिक योजना में भोपाल में एक मोटल के निर्माण के लिए 15 लाख रुपए की व्यवस्था सम्मिलित की गयी है। मोटल प्रायोजना पर 45 लाख रुपए का व्यय होने का अनुमान है तथा इस प्रायोजना के संबंध में व्यवहार्यता अध्ययन तैयार करने का कार्य प्रारंभ किया जा चुका है।

**Construction of Building for R.B.I. in Trivandrum**

1849. SHRI VAYALAR RAVI: Will the Minister of FINANCE be pleased to state:

(a) whether the Reserve Bank of India has acquired a plot of land for constructing a building at Trivandrum; and

(b) if so, how far has the construction of the building progressed?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):  
(a) Yes, Sir.

(b) Reserve Bank of India has reported that it has invited tenders for the construction work of the first phase of the proposed building.

**Restrictions on Deposits with non-Financial Institutions**

1850. SHRI R. S. PANDEY: Will the Minister of FINANCE be pleased to state:

(a) whether Reserve Bank of India has recently put any new restrictions on the deposits with non-financial institutions; and

(b) if so, the nature thereof?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The deposit acceptance atti-

vities of non-banking non-financial companies are regulated by Companies (Acceptance of Deposits) Rules, 1975 w.e.f. 3rd February, 1975. The directions issued earlier by the Reserve Bank to such companies have been withdrawn in June, 1975. As such the question of Reserve Bank putting any new restriction on the deposit acceptance by non-financial institutions does not arise.

**Loans advanced by Nationalised Banks to Unemployed Engineers in Haryana**

1851. SHRI RAM PRAKASH: Will the Minister of FINANCE be pleased to state the number of unemployed engineers who were advanced loans by the branches of nationalised banks in the State of Haryana during the last two years, year-wise and the number of applications at present pending with these banks?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): Banks do not maintain separate statistics relating to advances to such detailed categories as 'unemployed engineers'. Usually, unemployed engineers seek bank assistance for self-employment ventures in such sectors as small-scale industry, small business and professional and self-employment ventures. Data regarding public sector banks' advances to these sectors in Haryana as at the end of June, 1973, June 1974 and June 1975, is set out in the attached statement.

The present system of data reporting does not provide for compilation of data relating to the number of pending applications with commercial banks. Public sector banks have, however, been advised to endeavour to secure disposal of small loan applications involving credit limits of less than Rs. 10,000 within a period of sixty days of their receipt.

## STATEMENT

Public Sector Banks' Advances to Small-Scale Industries, Small Business and Professional and self-employed Persons in the State of Haryana.

(Amount in Rs. lakhs)

Sector	June, 1973		June, 1974		June, 1975	
	No. of A/cs	Amt. O/S	No. of A/cs.	Amt. O/S.	No. of A/c	Amt. O./S.
1	2	3	4	5	6	7
Small-Scale Industries*	3166	1926.06	4335	2538.31	4648	2674.80
Professional and self-employed Persons	606	12.65	1408	27.87	2640	41.61
Small Business	1087	29.49	1732	29.29	2449	55.78
TOTAL	4589	1968.20	7475	2595.47	9737	2772.19

\*No. of units.  
Data are provisional.

#### Export of Bellary West Coast Blended Iron Ore

1852. SHRI B. V. NAIK: Will the Minister of COMMERCE be pleased to state:

(a) whether the prospects of iron ore export by blending the Bellary Ore with West Coast iron ore from North Kanara in Karnataka State have been explored; and

(b) if so, steps taken in this direction?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Yes, Sir. Blending of ores of different ferrous content is already being done by MMTC.

#### Bad Debts of Sick Industrial Units

1852. SHRI NITIRAJ SINGH CHAUDHARY:

SHRI R. N. BARMAN:

Will the Minister of FINANCE be pleased to state:

(a) how much of the amount advanced by nationalised banks to inci-

ciently sick and temporarily sick industrial units during the last three years has become bad debts and the percentage of the advances locked up;

(b) whether Reserve Bank and Credit Guarantee Corporation compensate the banks for bad debts caused because of financing the sick industrial units;

(c) if so, the amount so far paid by the Corporation to banks as compensation; and

(d) Government's policy, if any, to reduce the locking up of bank capital and reducing bad debts?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) The fact that borrowing units may face difficulties due to a variety of reasons and that such difficulties may result in units becoming sick is inherent in the conduct of commercial banking operations by public sector banks. In cases where sickness is incipient or temporary, banks make every attempt to nurse such units out of difficulties. Only when a unit be-

come completely sick and closes down and there is no hope of its reopening either by its take over by other management or by nationalisation, the possibility of bank losing any money advanced to such units arises. In such cases, it is possible that after the banks have enforced their legal claims against the securities which had been taken, ultimate write off of a bad debt may arise. As a normal practice of prudent banking, the banks in consultation with the statutory auditors, do provide Reserves for bad and doubtful debts at the time of appropriation of profits earned by them year after year. Bad debts which are ultimately written off are met out of aforesaid Reserves for bad and doubtful debts built by the banks.

In accordance with the provisions of Section 29 of the Banking Regulation Act, 1949, read with the proforma of Balance Sheet and Profit and Loss Account, prescribed under it, the Reserves for bad and doubtful debts of any banks are not disclosed in the published accounts. It is, therefore, not possible to divulge what percentage of advances relate to advances made to units in respect of which the Reserves for bad and doubtful debts have been provided for, or where bad debts have been actually written off.

(b) and (c). The guarantee schemes administered by the Credit Guarantee Corporation of India Ltd, cover the advances granted by the credit institutions to the transport operators, retail traders, professional and self-employed persons, small business enterprises, farmers and agriculturists and service cooperatives.

As per the statistical data available the total credit facilities covered by the Corporation under the guarantee schemes aggregate to Rs. 636.13 crores on the last Friday of June, 1975. As at the end of March, 1976 the Corporation has settled 402 claims aggregating to Rs. 10.60 lakhs.

Assistance by credit institutions to small scale industries are covered separately under the Credit Guarantee Scheme of the Credit Guarantee Organisation administered by the Reserve Bank of India on behalf of the Central Government. As at the end of January, 1976 the total amount of outstanding guarantees amounted to Rs 1808.03 crores. Till that date the guarantee organisation had paid Rs. 140.33 lakhs spread over 1259 accounts.

(d) Ways and means to detect and remedy incipient sickness with the help of a management and Credit information system in industry have been continuously engaging the attention of the Government, in consultation with the Reserve Bank of India, public sector banks and the long-term public financial institutions.

#### Minimum Price of Jute

1854. SHRI DASARATHA DEB: Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware that Bangladesh Government have fixed minimum price of jute at Rs. 90 per maund which will be effective from July, 1976;

(b) if so, whether Government of India also propose to fix minimum price of jute per maund at the same rate;

(c) the present minimum price of raw jute per maund fixed by Jute Corporation of India; and

(d) the percentage of the total jute products of the country that are purchased by the Jute Corporation of India every year?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Bangladesh Government is reported to have fixed statutory minimum price for jute of X-Bottom variety at Taka 90 per maund for 1976-77 season.

(b) The Statutory Minimum Price for raw jute in India is fixed on the

basis of the recommendations of the Agricultural Prices Commission, which takes into account all relevant factors.

(c) For 1975-76 season, the statutory minimum price of raw jute had been fixed at Rs. 135/- per quintal for Assam Bottom and comparable varieties at all upcountry markets, by Government of India, and not by Jute Corporation of India.

(d) Jute Corporation of India is engaged in purchase and sales including Imports and Exports of raw jute and not of jute products.

#### Loan Scheme for Rubber Grower

1855. SHRI PRABODH CHANDRA:  
SHRI M. RAM GOPAL  
REDDY:—

Will the Minister of COMMERCE be pleased to state:

(a) whether there is any proposal with Government to modify replanting loan scheme for rubber growers in the country; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) There is no loan scheme for replanting rubber. But there is a Replanting Subsidy Scheme under which Subsidy is paid to the rubber growers by the Rubber Board. The scheme has already been modified with effect from 1st April, 1975.

(b) Government have enhanced the subsidy from the rate of Rs. 2471 per hectare in force till 31st March 1975 to the rate as indicated below with effect from 1st April 1975:—

(i) Holdings upto 2 hectares—Rs. 7500 per hectare.

(ii) Holdings above 2 hectares and upto 20 hectares—Rs. 5000 per hectare.

(iii) Estates above 20 hectares—Rs. 3000 per hectare.

The above mentioned enhanced rates of subsidy have also been extended in respect of the remaining instalments of subsidy payable to the rubber growers during 1975-76 onwards for the replantings undertaken by them in the years 1969 to 1974.

#### सम्पत्ति का स्वैच्छा ब्यौरा देना

1856. श्री लाल जी भाई : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि देश में विभिन्न प्रायकर आयुक्तों को कितने व्यक्तियों ने अपनी सम्पत्ति का स्वैच्छा से ब्यौरा दिया है ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री ( श्री प्रमथ कुमार मुशर्फी ) : प्राय तथा धन का स्वैच्छया प्रकटन अध्यादेश, 1975 (प्राय तथा धन का स्वैच्छया प्रकटन अधिनियम, 1976) की धारा 15(1) के अन्तर्गत, शुद्ध धन अथवा उन परिणामस्वरूपों के मूल्य के संबंध में घोषणा की जा सकती थी, जिन को प्रकट नहीं किया गया था अथवा जिन का मूल्य कम बताया गया था। तत्काल उपलब्ध सूचना के आधार पर, प्रायकर आयुक्त के अधिकार-क्षेत्र वार ऐसी घोषणाओं की संख्या का एक विवरण पत्र संलग्न है।

धन कर अधिनियम, 1957 की धारा 18 (2) तथा 18 बी के अन्तर्गत स्वैच्छा से किये गये प्रकटीकरण के संबंध में सूचना तत्काल उपलब्ध नहीं है और इसे देश भर के धन कर आयुक्तों से एकत्र करना पड़ेगा। यदि माननीय सदस्य किसी विशेष आयुक्त के अधिकार क्षेत्र के संबंध में सूचना चाहते हों, तो उसे एकत्र कर के प्रस्तुत कर दिया जायेगा।

## विषय

आयकर आयुक्त का अधिकार क्षेत्र	आय तथा धन का स्वेच्छया प्रकटन अध्यादेश, 1975 (आय तथा धन का स्वेच्छया प्रकटन अधिनियम 1976) की धारा 5(1) के अन्तर्गत की गयी घोषणाओं की संख्या
(1)	(2)

असम	333
आन्ध्रप्रदेश	719

असम, नागालैंड, मेघालय, मणिपुर	
विपुला, झरणाचल प्रदेश तथा	
मिजोरम मघ राज्य क्षेत्र	194
बिहार	377
बम्बई सिरी	2266
दिल्ली	1038
गुजरात	741
कानपुर	312
कर्नाटक	610
केरल	325
लखनऊ	367
मध्य प्रदेश	395
मेरठ	267
नागपुर	258
उड़ीसा	175

1	2
पटियाला	560
पूना	718
राजस्थान	231
तमिलनाडु	1634
पश्चिम बंगाल	1634
बम्बई (सेण्ट्रल)	89
कलकत्ता (सेण्ट्रल)	43
दिल्ली (सेण्ट्रल)	52
मद्रास (सेण्ट्रल)	111
जोड़	13,449

**Memorandum from Indian Cotton  
Mills Federation**

1857. SHRI B. S. BHAURA: Will the Minister of COMMERCE be pleased to state:

(a) whether the Indian Cotton Mills Federation has submitted a memorandum to the Prime Minister listing some proposals for the revival of the Textile Industry; and

(b) if so, the highlights of the memorandum and Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Some of the main points mentioned in the Memorandum are as under:

(i) The industry has been incurring substantial losses in the production of controlled cloth and suspension of controlled cloth obligation for a short period would seem to be appropriate till Gov-

ernment took decisions on revision of the prices of controlled cloth.

- (ii) Spinning mills have been particularly faced with serious financial difficulties;
- (iii) Cash assistance scheme which is due to expire on 31-3-1976 should be continued in such a way that it facilitates a significant step up in exports of textiles.

2 Those above points are receiving the attention of Government.

### Export of Electronics Goods in Fifth Plan

1858. SHRI P. R. SHENOY: Will the Minister of COMMERCE be pleased to state:

(a) the value of total export of electronics goods estimated for the Fifth Five Year Plan period; and

(b) the achievements made so far?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) The value of total export of electronics goods targeted for Fifth Five Year Plan period is Rs. 131 crores.

(b) The value of exports of electronics goods made so far is as follows:

1974-75	Rs. 12.58 crores
1975-76 (April—Nov.)	Rs. 6.56 crore

### Bird Sanctuaries

1859. SHRI SHANKERRAO SAVANT: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state the locations of various bird sanctuaries maintained by the Central Government?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): There are no bird sanctuaries maintained by the Central Government.

जनरल बीमा निगम के अन्तर्गत काम करने वाले इंस्पेक्टरों सह-कैप्टन अधिकारियों के लिए बेतन काम

1860. श्री रामाबलार शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जनरल बीमा निगम के अन्तर्गत काम करने वाले इंस्पेक्टरों-सहकैप्टन अधिकारियों के लिए कोई बेतनमान निर्धारित नहीं है ; और

(ख) क्या सरकार का विचार उनके लिए बेतनमान निर्धारित करने का है ?

वित्त मंत्रालय में उप मंत्री (अभिमत सुश्रीला रोहतगी) : (क) और (ख) : भारत के विविध बीमा निगम के क्षेत्रीय कमिश्नरों के बेतनमानों और अन्य सेवा-शर्तों को युक्तियुक्त बनाने की एक योजना को हाल ही में अंतिम रूप दिया गया है उसको शीघ्र ही अधिसूचित किया जायगा।

### Proposal to put Dehra Dun on Air Map

1861. SHRI PARIPOORNANAND PAINULI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state.

(a) whether Dehra Dun is proposed to be put on the air map of India in the near future; and

(b) if so, the broad outlines thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). There are no plans to airlink Dehra Dun in the near future.



**Qualifying Service for Payment of one Month's Extra Salary in Income Tax and other Departments**

1862. SHRI ARJUN SETHI: Will the Minister of FINANCE be pleased to state:

(a) whether Government have recently prescribed three months' qualifying service for the reward equal to one month's pay in appreciation of the meritorious work done by the officers and the staff of the Income Tax Department whereas the qualifying service for such reward is ten months in the case of officers and staff of Customs, Revenue Intelligence and other departments under his Ministry;

(b) if so, the reason for the different yardsticks laid down for meritorious work done by persons working in different departments; and

(c) the steps proposed to be taken to rectify the anomalies in the case of persons having less than ten months' service to their credit?

THE MINISTER OF STATE IN-CHARGE OF DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) Yes, Sir.

(b) and (c). The orders in the case of the Income Tax Department stipulated that it will be payable only to those officers who were in service during the entire period 1-10-75 to 31-12-75 conforming broadly to the period of the Voluntary Disclosure Scheme. In the case of Customs and Central Excise departments, since the reward was sanctioned because of the meritorious work performed by the staff from the promulgation of the Maintenance of Internal Security (Amendment) Ordinance 1974 on the 17th September, 1974 to the issue of sanction orders in February, 1976, it was stipulated that it will be payable only to those who had served during a major part of the period from 17th September, 1974 to 31st January, 1976. This period was fixed as 10 months.

Since the reward to the employees of the two departments has been sanctioned on different considerations, the question of prescribing the same period of qualifying service would not arise.

**Cases of Tax Evasion and Undeclared Assets**

1863. SHRI H. N. MUKHERJEE: Will the Minister of FINANCE be pleased to state:

(a) how many cases of tax evasion and undeclared assets were detected by Government in the last three months;

(b) whether in a recent raid on the house of a jute mill owner in Calcutta, a huge undeclared assets had been found; and

(c) if so, the facts thereof?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) Income-tax Authorities carry out search and seizure operations for unearthing unaccounted assets. 985 such operations were conducted during December, 1975 to February, 1976 resulting in the seizure of assets of the value of over Rs. 621 lakhs. Further, during the course of normal assessment work, the Income-tax authorities make investigations for discovering tax evasion/undeclared assets. Information in respect of the number of cases so discovered is not available. It would have to be collected from the Commissioners of Income-tax all over the country and the time and energy spent may not be commensurate with the results achieved. However, if the Hon'ble Member desires to have specific information in respect of any particular area, the same would be collected and furnished.

(b) and (c). Recently, the Income-tax authorities have conducted search and seizure operations at the following premises belonging to Shri Radhe-

shyam Bajoria (connected with Hooghly Jute Mills Limited) or the concerns in which he is interested:—

- (i) 76, Garden Reach Road, Calcutta.
- (ii) 9, Garden Reach Road, Calcutta.
- (iii) 10, Clive Row, Calcutta.
- (iv) 49, M. M. Burman Street, Calcutta.

The value of jewellery seized from these premises and from a locker in Calcutta Safe Deposit Vault standing in the name of Shri Radheshyam Bajoria is estimated at Rs. 22 lakhs. Books of account and documents have also been seized. Certain jute stock found at 9, Garden Reach Road is being valued.

#### Trade talks with Democratic Republic of Korea

1864. SHRI B. N. REDDY: Will the Minister of COMMERCE be pleased to state:

(a) whether negotiations were held to finalise a trade protocol for 1976 between India and the Democratic Republic of Korea; and

(b) if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) The Trade Protocol which was signed on 20th March, 1976 envisages a total trade turnover of Rs. 30 crores between India and the Democratic People's Republic of Korea during 1976. Under the Protocol, the Democratic people's Republic of Korea is to supply to India urea, zinc, mild steel plates, various kinds of refractories and for the first time lead also. D.P.R.K is to import from India cotton textiles, jute bags, finished leather, manganese ore, mica and mica products, steel billets, engineering goods like bearings, wire ropes, etc. and various chemicals.

#### Branch of R.B.I. in Kerala

1865. SHRI C. H. MOHAMED

KOYA:

SHRI N. SREEKANTAN  
NAIR:

Will the Minister of FINANCE be pleased to state:

(a) whether Government are aware that there is no full-fledged branch of the R.B.I. in Kerala; and

(b) the steps taken by Government so far in this regard?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) and (b). Reserve Bank of India has reported that at present it has a branch office of the Department of Banking Operations and Development and Agricultural Credit Department and a cell each of Industrial Finance Department and Exchange Control Department in Kerala State. As regards opening of branches of its other Departments, the Reserve Bank has informed that these will be opened as and when the need for them arises.

#### Purchase of Airbus by Indian Airlines

1866. SHRI RAJDEO SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Indian Airlines signed an agreement with French and West German Banks for Rs. 78 crores which would partly finance the purchase of three Airbus aircraft and their spares the total of which was likely to be Rs. 94 crores;

(b) whether Airbus can carry 278 passengers and substantial cargo and will begin to operate by this year end;

(c) whether it is proposed to be operated on density route of which Calcutta—Delhi is one; and

(d) whether for its landing and take-off the runway of the size of Varanasi Airport is sufficient?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** (a) The total project cost of three A300-B2 Airbus aircraft, spare engines, spare parts and equipment is Rs. 94.19 crores with foreign exchange content of about \$104 million. Indian Airlines signed two loan agreements with German and French Banks and Airbus Industries for partly financing the foreign exchange cost of the project totalling \$93.02 million.

(b) The three A300-B2 type aircraft (Airbus) are due to be received in the last quarter of 1978 and expected to be progressively put into operation from 1-12-1978. These aircraft will have initially a seating capacity of 278 passengers and substantial cargo capacity in addition to the passenger load, to the tune of 10 to 15 metric tonnes.

(c) Yes, Sir.

(d) No, Sir.

#### राजस्थान के विकास के लिए विश्व बैंक की स्थापना

1867. श्री झोकार लाल बेरवा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विश्व बैंक ने राजस्थान के विकास के लिये धनराशि दी है ; और

(ख) अब तक कितनी राशि खर्च की गई है ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुधीला रोहतगी):

(क) और (ख) : राजस्थान के विकास से संबंधित विभिन्न परियोजनाओं के लिए विश्व बैंक ग्रुप से भारत सरकार द्वारा

184 LS-3.

की गई सहायता और अब तक इस्तेमाल की गई रकम का व्यौरा नीचे दिया गया है :—

प्रयोजन	लाख डालर	
	व्यय की रकम	अब तक इस्तेमाल की गई रकम
1. राजस्थान नहर सिंचाई क्षेत्र	830	210
2. चम्बल सिंचाई क्षेत्र, राजस्थान	520	80
3. सूखा की भांका वाले क्षेत्रों का कार्यक्रम	43.00	शून्य
4. राजस्थान हेरी विकास	277.00	शून्य
5. विद्युत परिषद 11	54.50	30.00
जोड़ :	1724.50	320.00

#### Industrial Joint Ventures Abroad

1868. SHRI KRISHNA CHANDRA HALDER: Will the Minister of COMMERCE be pleased to state:

(a) total number of Indian Industrial Joint Ventures working in different countries; and

(b) the amount of capital invested therein ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) 135 Indian Industrial Joint Ventures are under various stages of implementation in different countries.

(b) the total Indian equity capital approved for investment in these Ventures amounts to Rs. 34.08 crores.

### Selection of Candidates as Sub-Staff in Bangalore Divisional office by L.I.C.

1869. SHRI S. M. SIDDAYYA: Will the Minister of FINANCE be pleased to state:

(a) how many candidates were selected as sub-staff in Bangalore Divisional office of L.I.C. of India in the year 1973-74, 1974-75 and 1975-76 (up to 1st March, 1976) and how many were kept in the waiting list each year;

(b) how many out of them belong to the Scheduled Castes and Scheduled Tribes; and

(c) out of the candidates kept in the waiting list in each of the above years, how many were absorbed in permanent vacancies and how many belonged to the Scheduled Castes and Scheduled Tribes?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) to (c). The information is being collected and it will be laid on the Table of the House as soon as available.

### Hotels and Motels on National Highways

1870. SARDAR SWARAN SINGH SOKHI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) particulars of tourist Hotels and Motels on the National Highways in the country, State-wise;

(b) whether they were built by Tourism Department or purchased from private parties;

(c) names of the private parties from whom these were purchased and the prices paid therefor; and

(d) amount spent, if constructed by Government?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) to (d). A statement giving particulars of hotels and motels of the India Tourism Development Corporation, a public sector undertaking, which are located on the National Highways, is attached.

### Statement

Name of the Unit	Location	Date of establishment/commissioning	Capacity Rooms/ Beds	Remarks
<b>JAMMU &amp; KASHMIR</b>				
Jammu Motel	NH-1A	9-9-1972	50/100	This Motel was constructed by the ITDC at an estimated cost of Rs. 42 lakhs.
<b>KARNATAKA</b>				
Hassan Motel	NH-48	27-7-1972	28/56	This Motel was set up by the ITDC by expanding the travelers, lodge at Hassan, at an estimated cost of Rs. 10.28 lakhs.

**राजस्थान में पर्यटक केन्द्र के रूप में  
नाइट भाबू और राणकपुर का  
विकास**

1871. श्री मूलचन्द डागा : क्या पर्यटन और नागर विमानन मंत्रो यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान में नाइट भाबू और राणकपुर को प्रसिद्ध ऐतिहासिक स्थल हैं ;

(ख) क्या सरकार का उद्देश्य पर्यटक स्थल के रूप में वर्णित करने और विकसित करने का विचार है ; और

(ग) यदि हाँ, तो कब ?

पर्यटन और नागर विमानन मंत्रालय में राज्यमंत्री (श्री सुरेन्द्रकाश सिंह)

(क) से (ग) . भाबू पर्वत एवं राणकपुर 11वीं, 12वीं और 15वीं शताब्दी में संगमरमर से निर्मित उत्कृष्ट जैन मंदिरों के कारण सुप्रसिद्ध है । पिछी योजनाओं के दौरान पर्यटन विभाग ने भाबू पर्वत पर एक पर्यटक बंगले के निर्माण का 50 प्रतिशत व्यय वहन किया और राणकपुर में बिजली पहुँचाने का कार्य भी उठाया । किन्तु केंद्रीय क्षेत्र में भाबू पर्वत प्रख्यात राणकपुर में पर्यटन सुविधाओं के विकास की कोई योजना नहीं है । तथापि, जान हुआ है कि राज्य सरकार द्वारा पांचवी योजना के दौरान भाबू पर्वत तथा राणकपुर में पर्यटक बंगलों के निर्माण का प्रस्ताव है ।

#### **Foreign Exchange Earnings from Kashmir Handicrafts**

1872. SHRI SYED AHMED AGA: Will the Minister of COMMERCE be pleased to state:

(a) the amount of foreign exchange earned from export of Kashmir Handicrafts during the last three years, year-wise; and

(b) the countries where these handicrafts are popular and in demand ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Export of Kashmir Handicrafts (including Carpets) during the last three years has been as under:—

Year	Exports (Rs. in Crores)
1973-74	4.5
1974-75	7.0
1975-76	8.5

(b) Kashmir Handicrafts are popular and are in demand in U.S.A., U.K., France, West Germany, Japan, Italy, Middle East and Scandinavian Countries.

#### **Assistance given by Financial Institutions to Private Sector Industries**

1873. SHRI VEKARIA: Will the Minister of FINANCE be pleased to state:

(a) the quantum of assistance given by various public financial institutions to private sector industries during the year 1975; and

(b) the quantum of assistance given to small, medium and large industries, separately during the year 1975?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The total amount of financial assistance sanctioned by the all-India long term public financial institutions, namely, the Industrial Development Bank of India (IDBI), the Industrial Finance Corporation (IFC), the Industrial Credit and Investment Corporation of India (ICICI) and the Unit Trust of India (UTI) to the small scale, medium

scale and large scale industrial units in the private sector during the period mentioned against each unit as under:—

**FINANCIAL ASSISTANCE SANCTIONED TO PRIVATE SECTOR INDUSTRIAL UNITS**

(Rupees in Crores)

Financial Institution	During the year	Small scale	Medium scale	Large scale	Total
1. I.D.B.I.	1974-75 (July-June)	% 73.10	@ 39.10	17.90	30.10
2. I.F.C.I.	1975 (January-December)	..	13.08	19.75	32.83
3. I.C.I.C.I.	1975 (January-December)	..	0.52	51.21	51.73
4. U.T.I.	1975 (January-December)	..	0.05	7.18	7.23

% Refinance assistance.

@ Includes Rs. 31.90 crores of Refinance assistance.

Similar information in respect of the Life Insurance Corporation of India is being collected and will be laid on the Table of the House.

**N.B.:** (i) The State Financial Corporations grant direct assistance in the shape of rupee loans upto a maximum of Rs. 30 lakhs to concerns in the Corporate and Cooperative sectors whose share capital and reserves do not exceed Rs. 1 crore. The all-India financial institutions normally consider requests from industrial concerns for grant of direct assistance in the shape of rupee loans only if they exceed Rs. 30 lakhs. As such, the small scale units do not, normally come under the purview of the operations of the above institutions for direct rupee loan assistance.

(ii) Assistance in the case of I.D.B.I. includes direct loans (other than for exports), under-writings and refinance of industrial loans. I.D.B.I.'s assistance to small scale sec-

tor flows through its scheme of refinancing of industrial loans which is mainly intended for the small and medium sector industries. Besides the figures of assistance given above, the I.D.B.I. has sanctioned assistance of the order of Rs. 89.40 crores and Rs. 24.70 crores respectively, under its Rediscounting scheme and Export Finance Scheme, to industrial concerns in the private sector which assistance has largely been availed of by medium scale units. The size-wise classification of assistance under these Schemes is not readily available with the I.D.B.I.

(iii) Assistance in the case of I.F.C. and I.C.I.C.I. includes loans, underwritings/direct subscriptions and guarantees.

(iv) Assistance in the case of U.T.I. includes underwritings/sub-underwritings and direct subscription to new issues and right issues of shares and debentures.

**Evasion of Income Tax, Customs and Excise Duties by Birla Group of Industries**

1874. SHRI BHOGENDRĀ JHA: Will the Minister of FINANCE be pleased to refer to item No. 2 of Supplementary Statement No. XIV laid on the Table on 11th March, 1976 in implementation of the assurance given in reply to Unstarred Question No. 2550 on 16th August, 1974 regarding evasion of income tax, customs and excise duty by Birla Group Industries and state:

(a) whether penalty awarded in 36 cases, redemption fine in 5 cases and duty amounting to Rs. 29.26 lakh in 31 cases have since been collected from the Birla Group of Industries and if so, the particulars thereabout;

(b) what is the cause of delay in 36 cases; and

(c) whether it is proposed to impose any severe penalty on the Birla Group for such large scale violation of excise and customs rules?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c). Information in this regard is being collected and will be laid on the Table of the Sabha.

**Incentives for export of Automobile Tyres**

1875. SHRI C. H. MOHAMMED KOYA:  
SHRI VAYALAR RAVI:

Will the Minister of COMMERCE be pleased to state:

(a) the incentives given for the automobile tyre export;

(b) total quantity of tyres exported and amount earned for the last three years; and

(c) the reasons for giving the incentives?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) The incentives are those that are given for all exports. Besides, exporters of tyres are also compensated on account of indigenous prices of natural rubber being higher as compared with the international prices.

(b) A statement is enclosed.

(c) To enable the exporters to be competitive in the international market.

Statement		(Value: Rs. Lakhs)					
Items	Unit	1972-73		1973-74		1974-75	
		Q	V	Q	V	Q	V
Tyre cases aircraft	Nos.	..	..	..	..	375	3
Tyre cases for motor car	ooo Nos.	37.8	21	61.1	40	46.2	46
Tyre cases for motor cycles	Nos.	2411	1	1167	0.4	11218	3
Tyre cases for off the road Vehicles	ooo Nos.	7.0	47	6.0	90	9.3	114
Tyre cases for tractors	oooNos.	11.5	12	6.1	8	9.1	20
Tyre cases for Truck & Bus	oooNos.	137.9	358	122.5	360	106.3	444
Tyre cases for other Vehicles	ooo Nos.	40.4	23	113.5	81	105.5	226



**केंद्रीय जांच ब्यूरो द्वारा इन्दौर  
को जीवघ निर्माता कर्मों की जांच**

1876. श्री हुकम चंद कच्छवार : क्या  
बाणिज्य मंत्री यह बताने को कृपा करेंगे  
कि :

(क) क्या केन्द्रीय जांच ब्यूरो ने इन्दौर  
मध्य प्रदेश में 19 जीवघ निर्माता कर्मों की  
जांच कर ली है जिनके पास एक लाख रुपये  
और इन्हीं अधिक के लाइसेंस हैं और जिनमें  
इनकी राशि ली है और यदि हाँ, तो उसके  
क्या परिणाम निकले ;

(ख) इन 19 कर्मों को वर्ष 1973-  
74, 1974-75 तथा 1975-76 में  
फरवरी के अंत तक, कितनी मूल्य के तथा  
कितनी मात्रा में कच्चे माल के लाइसेंस दिये  
गये ; और

(ग) केन्द्र सरकार को इन कर्मों द्वारा  
अपने लाइसेंसों के दुरुपयोग तथा कच्चे माल  
को कानूनी बाजार में बिखी की जानकारी कब  
मिली और यह मामला केन्द्रीय जांच ब्यूरो  
को किस तारीख को मिला गया ?

बाणिज्य मंत्रालय में उपमंत्री (श्री  
विश्वनाथ प्रताप सिंह) : (क) नवम्बर  
1975 में केन्द्रीय जांच ब्यूरो ने इन्दौर,  
मध्य प्रदेश को बहुत मो कर्मों के विरुद्ध  
जांच पड़ना करने के लिए 19 मामलों  
दर्ज किए। इन कर्मों ने 1 लाख 80 तथा  
उनमें अधिक मूल्य के वास्तविक प्रयोजता  
लाइसेंस प्राप्त किए थे। जांच अभी पूरी नहीं  
हुई है।

(ख) जारी किए जाने वाले लाइसेंसों  
के ब्यूरो, बीकानेर इलेक्ट्रिक ग्राम इंस्ट्रियल  
लाइसेंसिंग में छात्रे जाते हैं जिसकी प्रति लोक  
सभा पुस्तकालय में उपलब्ध है।

(ग) इन मामलों में आयान लाइसेंसों  
का कोई दुरुपयोग हुआ है या नहीं इस प्रश्न  
का पता उन समय चल रहा जब केन्द्रीय जांच  
ब्यूरो अपनी जांच पूरी करेगा।

**Loans due from Orissa**

1877. SHRI CHINTAMANI PANI-  
GRAHI: Will the Minister of FINANCE  
be pleased to state:

(a) total loan outstanding against  
Orissa Government on account of relief  
advances up-to-date; and

(b) amount of interest Orissa Gov-  
ernment have paid to the Central  
Government during 1974-75 and 1975-  
76 on this account?

THE DEPUTY MINISTER IN THE  
MINISTRY OF FINANCE (SHRIMATI  
SUSHILA ROHATGI): (a) and (b). As  
on 31st March 1974, the Central loans  
outstanding against Orissa on account  
of relief of distress caused by natural  
calamities were Rs. 33.39 crores. Fol-  
lowing the scheme of debt relief recom-  
mended by the Sixth Finance Com-  
mission, these loans have been consoli-  
dated into one loan, which is being re-  
covered from 1974-75 onwards in 25  
years with interest at 4.75 per cent.

From 1st April 1974 onwards, the  
earlier policy of providing non-Plan  
Central assistance to States for natu-  
ral calamities relief has been rescinded.  
Under the present policy, Centre pro-  
vides, where necessary, only advance  
Plan assistance which is subject to  
adjustment within the overall Plan as-  
sistance allocated to the State for its  
Fifth Plan.

**Money collected by Companies as  
Compulsory Deposits**

1878. SHRI C. K. CHANDRAPPA: Will the Minister of FINANCE be  
pleased to state:

(a) whether the Companies have  
been asked as to how much money  
they have collected and remitted to  
Government against compulsory  
deposits; and

(b) if so, the facts thereof?



**THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI):** (a) The employees of companies are governed by the Compulsory Deposit Scheme common to all employees other than those of Government and local authorities. Under this scheme, the company or employer, who is the specified authority, has to remit within 15 days of the close of every month all deductions made from employees for compulsory deposit during the period upto the 10th day from the close of the month to the Regional Provident Fund Commissioner concerned who is the nominated authority. The scheme also requires of the Company to furnish to the Regional Provident Fund Commissioner a statement of remittances for credit to the Compulsory Deposit account.

(b) The Regional Provident Fund Commissioners who are the nominated authorities under the scheme for employees other than those of Government and local authorities, maintain only employer-wise accounts, but there is no separate classification for companies. Under this scheme, till 19th March, 1976, the total amounts of additional wages deposits received amounted to Rs 48.50 crores and the total amount of additional dearness allowance deposits received amounted to Rs 332.84 crores.

The Regional Provident Fund Commissioners have with them enforcement staff who inspect the books of accounts and other books and papers of the companies. If after inspection or otherwise it is noticed that any compulsory deduction made from the employees have not been remitted to the nominated authority and properly accounted for, steps are taken to recover the amount so defaulted with penal interest and where considered necessary, prosecutions are also launched against the companies. For any delay in remittances of the amounts compulsory deducted from the employees, the company is liable to pay penal interest at twice the rate at which interest is admissible to the employee for his de-

posit. The defaulted amount with penal interest is recoverable as arrear of land revenue without prejudice to the liability of the company for prosecution for contraventions of the provisions of the Additional Emoluments (Compulsory Deposit) Act, 1974.

### मध्य प्रदेश में तस्करों की गिरफ्तारियाँ

**1879. श्री गंगा चरण बीसित :** क्या बिल मंत्री यह बनाने की कृपा करेंगे कि मध्य प्रदेश में इन तस्करों की मख्या कितनी है जिन्हें विरुद्ध निरोध आदेश जारी किये गये हैं और वास्तव में उनमें से कितने तस्कर गिरफ्तार किये गये ?

**राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) :** मध्य प्रदेश सरकार ने 25-3-1976 तक विदेशी मुद्रा सुरक्षण और तस्करी क्रियाकलाप निवारण अधिनियम 1974 की धारा 3(1) के अधीन 19 तस्करी और उनके मत्पयोगियों की नजरबंदी के आदेश जारी किये थे। इन मन्त्री की वास्तव में नजरबंद भी किया गया था।

### मध्य प्रदेश में "लीड" बैंक

**1880. श्री गंगा चरण बीसित :** क्या बिल मंत्री यह बनाने की कृपा करेंगे कि मध्य प्रदेश के विभिन्न जिलों में किन किन बैंकों को "लीड" बैंक घोषित किया गया है ?

**राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) :** उन बैंकों के नाम, जिन्हें 'लीड' बैंकों के रूप में नामांकित किया गया है, और मध्य प्रदेश में उन जिलों के नाम जिन्हें उक्त

बैंकों को प्राबंठित किया गया है, नीचे दिये जा रहे हैं :—

लॉड बैंक का नाम	प्राबंठित जिला
1. स्टेट बैंक संघ	1. शिवपुरी 2. गुना 3. विदिशा 4. टीकमगढ़ 5. छतरपुर 6. पन्ना 7. दमोह 8. रायगढ़ 9. बिनासपुर 10. बस्तर
2. सेंट्रल बैंक ऑफ इंडिया	1. मंदसौर 2. रतलाम 3. भिंड 4. खालियर 5. मुरैना 6. मागर 7. रायसेन 8. होशंगाबाद 9. बेतूल 10. छिन्दवाड़ा 11. नरसिंहपुर 12. स्योनी 13. बालाघाटा 14. मांडला 15. जबलपुर 16. शाहडोल 17. खरसुआ

लॉड बैंक का नाम प्राबंठित जिला

3. बैंक ऑफ इंडिया	1. धार 2. वेस्ट निमाड़ 3. ईस्ट निमाड़ 4. खेवाप 5. इंदौर 6. उज्जैन 7. शाजापुर 8. रायगढ़ 9. निहोर 10. भोपाल
1. पंजाब नेशनल बैंक	1. दमिया
5. बैंक ऑफ बड़ोदा	1. जावुभा
6. डेना बैंक	1. दुम 2. राजनंदगाव 3. रायपुर
7. इलाहाबाद बैंक	1. मनना
8. यूनिवर्सल बैंक ऑफ इंडिया	1. रीवा 2. गिरी

#### Development of Andaman and Nicobar Islands as Tourist Centres

1881. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) what plans Government have for development of Andaman and Nicobar Islands as tourist spots;

(b) how many foreign tourists visited the Islands in 1975-76; and

(c) whether there are any restrictions on the movement of foreign tourists there?

**THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH):** (a) to (c): Foreign tourists are allowed to visit the Northern group of islands only (excluding reserved areas) subject to compliance with the entry formalities. Applications from foreign tourists for permission to visit these islands have to reach the Ministry of Home Affairs at least three weeks in advance from the proposed date of visit. A total of 64 foreign tourists are reported to have visited Port Blair (Andaman Islands) from 1st January, 1975 to 28th March, 1978.

There are no schemes, for the present to develop Andaman and Nicobar Islands in the Central Sector as large scale development of tourist facilities in these Islands is dependent upon removal of entry restrictions for international tourists and better communication facilities. The Island Administration, however, has provided a 16-bed Tourist Bungalow of Port Blair, and proposes to construct additional accommodation at Port Blair during the Fifth Plan.

#### **Opening of Branches of S.B.I. and Nationalised Banks in Himachal Pradesh**

**1883. PROF. NARAIN CHAND PARASHAR:** Will the Minister of FINANCE be pleased to state:

(a) the number of branches of the State Bank of India and other Nationalised Banks in each one of the 12 Districts of Himachal Pradesh as on 1st January, 1976; and

(b) the names of the banks which have proposals for or have sanctioned opening of new branches in each one of these Districts indicating the locations thereof?

**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** (a): The requisite information is set

out in Statement—I Laid on the Table of the House. [Placed in Library. See No. LT-10609/76].

(b) Branch opening is undertaken by the banks within the framework of three year plans. The plans for the years 1976—78 are still under scrutiny of the Reserve Bank. However, the names of the places in Himachal Pradesh in respect of which the public sector banks hold licences issued/allotments made for branch opening, as on December 31, 1975 are set out in Statement—II laid on the Table of the House. [Placed in Library. See No. LT-10609/76].

#### **Grant of Agricultural Loans by Nationalised Banks in Himachal Pradesh**

**1884. PROF. NARAIN CHAND PARASHAR:** Will the Minister of FINANCE be pleased to state:

(a) the number of persons who applied for loans for agricultural purposes from the nationalised banks in each one of the 12 districts of Himachal Pradesh during the calendar year 1975; and

(b) the number of persons, district-wise who were sanctioned these loans alongwith the number of cases rejected and those which are still pending?

**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** (a) and (b). Data regarding number of applications received and number of applications rejected/pending are not available, as the same are not compiled in the manner asked for. However, district-wise data regarding borrowal accounts under both direct and indirect agricultural advances made by all scheduled commercial banks including nationalised banks is being collected and will be laid on the Table of the House.

**Loans granted by Nationalised Banks for Small and Cottage Industries in Himachal Pradesh**

1885. PROF. NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state:

(a) the number of persons who applied for loans for small and cottage industries from the nationalised banks in each one of the 12 districts of Himachal Pradesh during the calendar year 1975; and

(b) the number of persons, district-wise, who were sanctioned these loans alongwith the number of cases rejected and those which are still pending?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF

**REVENUE AND BANKING (SRI PRANAB KUMAR MUKHERJEE):**

(a) and (b). The present system of data reporting does not provide for compilation of data relating to the number of persons who have applied for loans for small and cottage industries and the number of such applications sanctioned and rejected by the banks or pending with them. However, available district-wise data which relate to the number of borrowal accounts and the total outstanding advances of scheduled commercial banks to small scale industries in the State of Himachal Pradesh as at the end of June 1974 are set out in the attached statement.

**Statement**

(Amount in thousands of rupees)

Sr. No.	District	No. of borrowal accounts	Amount outstanding
1	Bilaspur . . . . .	5	62
2	Chamba . . . . .	3	73
3	Hamirpur . . . . .	18	59
4	Kangra . . . . .	60	3592
5	Kulu . . . . .	32	341
6	Mandi . . . . .	18	141
7	Simla . . . . .	177	5253
8	Sirmour . . . . .	14	1556
9	Solan . . . . .	86	2909
10	Una . . . . .	12	1056
State Total . . . . .		425	15042

**NOTE:**—Progress in respect of Kinnaur and Lahul and Spiti is reflected in districts out of which these have been charged out.

**अफीम का उत्पादन एवं उसका निर्यात**

**1886. श्री भागीरथ भंडार : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :**

(क) देश में अफीम का किनासा उत्पादन हो रहा है और राज्यवार इसकी खेती के अन्तर्गत कितना-कितना क्षेत्र है;

(ख) अफीम के कारखाने कहाँ-कहाँ पर हैं और प्रत्येक कारखाने में कितने कर्मचारी काम कर रहे हैं. और

(ग) अफीम का निर्यात किन-किन देशों को किया जाता है और इसमें प्रति वर्ष विदेशी मुद्रा की क्या आय होती है ?

**राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री ( श्री प्रभव कुमार मुखर्जी ) :**

(क) 1975 के दौरान भारत में उत्पादित अफीम की कुल मात्रा 1033 मीट्रिक टन थी जिसका अन्तर्गत 90 टिन्नी था। आयु फसल वर्ष (1975-76) के दौरान अफीम पोन्स की खेती के लिए निम्नलिखित रकमों का लाइसेंस दिया गया था जम्मा राज्यवार स्थिति इस प्रकार है :-

राज्य का नाम	रकबा जिस में अफीम पोन्स की खेती करने का लाइसेंस दिया गया
	(हेक्टेयर)
उत्तर प्रदेश	13,347
मध्य प्रदेश	21,315
राजस्थान	15,856

(ख) अफीम के दो सरकारी कारखाने हैं, जिनमें से एक बन्नीपुर (उत्तर प्रदेश) में है और दूसरा नीमच (मध्य प्रदेश) में है। वर्तमान में इन कारखानों में (जिनमें एकका-

सायद्द निर्यात एकक शामिल नहीं हैं) नियमित रूप से नियोजित कर्मचारियों की संख्या क्रमशः 406 और 306 है।

(ग) भारत ने 1975-76 के दौरान निम्नलिखित देशों को अफीम का निर्यात करके सम्मत्त 33 करोड़ रु० की विदेशी मुद्रा अर्जन की:-

“यूनाइटेड किंगडम, मंगुल राज्य अमेरिका, मोरियन रूप, फ्रांस, इटली, पश्चिम जर्मनी, जापान, ब्रिगागिया, स्विट्जरलैंड, ताइवान, अर्जेंटाइना, वेनेजुएला, हॉलैण्ड, स्पेन, यूगोस्लाविया, नार्वे, पुर्तगाल, पोलैण्ड तथा डेनमार्क।”

**सोने की तस्करी**

**1887. श्री भागीरथ भंडार : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :**

(क) क्या सरकार ने अपने देश में छिपे सोने का पता लगाने के लिये कोई योजना बनाई है?

(ख) आपात स्थिति की घोषणा के बाद राज्यवार किनासा मोना ज्वन किया गया;

(ग) क्या अभी भी सोने की तस्करी हो रही है और आपात स्थिति के बाद भी सोने की तस्करी के मामले पकड़ में आये हैं; और

(घ) यदि हाँ, तो किनने और कहाँ, कहाँ के हैं ?

**राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री ( श्री प्रभव कुमार मुखर्जी ) :**

(क) हाल ही की स्वेच्छा प्रकटन योजना में, अन्य बानों के साथ-साथ, यह व्यवस्था भी की, कि छिपाई हुई आय तथा/प्रचुर सोने के रूप में धन को स्वेच्छा से प्रकट किया जा सके और ऐसे सोने को, कुछ कर्तों के अखीन, सीमानुक्त अधिनियम और स्वर्ण-

नियंत्रण अधिनियम के अन्वयेन दायित्व कार्यवाही से मुक्त किया जाय ।

(ख) आय-कर प्राधिकारियों ने 1 जुलाई 1975 से 29 फरवरी 1976 तक की अवधि में, आय-कर तथा धन-कर अधिनियमों के उपबन्धों के अन्वयेन, लेखा-बाल्य आय/धन का पना लगाने के लिए तलाशी एवं मान पकड़ने की 2214 कार्यवाहियों की हैं । इन समय उपलब्ध सूचना के आधार पर, इन कार्यवाहियों के परिणामतः निम्नलिखित नकदी, सोना-चांदी, जेवर-जवाहरान और अन्य वस्तुवस्तुतिया पकड़ी गयी —

(लाख पवों में)

नकदी	241
सोना चांदी	11
जेवर-जवाहरान	731
अन्य वस्तुवस्तुतिया	336

जुलाई 1975 से फरवरी 1976 तक की अवधि में, सीमाशुल्क अधिनियम के प्रचीन पकड़े गये सोने के मूल्य का राज्य-वार विवरण संलग्न है । स्वर्ण नियंत्रण अधिनियम के अन्वयेन पकड़े गये सोने के व्यूरे एकत्र किये जा रहे हैं और मर्यादित पर रख दिये जायेंगे ।

(ग) और (घ). गुप्तचर्या रिपोर्टों में यह बताया गया है कि इसके इसके मामले को छोड़कर, सोने की तरकारी कोई बड़े पैमाने पर नहीं होती है । जुलाई 1975 से फरवरी 1976 तक की अवधि में विदेशी मार्के का सोना पकड़ने के कुल 237 मामले पकड़े गये । किन्तु, यह नहीं कहा जा सकता है कि इस सोने की तरकारी व्यापार स्थिति की खोज में पूर्व हुई थी अथवा बाद में । जिन स्थानों पर एक लाख रुपये अथवा उससे अधिक मूल्य का सोना पकड़ने के बड़े-बड़े मामले

पकड़े गये हैं, उन स्थानों के बारे में सूचना इकट्ठी की जा रही है और सदन-सत्र पर रख दी जायगी ।

### विवरण

राज्य	पकड़े गये सोने का वाजार मूल्य
(हजार पवों में)	
असम	1,07
मेघालय	25
त्रिपुरा	9
केरल	69
तमिलनाडु	8,62
उड़ीसा	3
दिल्ली	2,01
राजस्थान	6
गुजरात	16
बीज	7
हरियाणा	24
महाराष्ट्र	53
मध्य प्रदेश	92
पश्चिम बंगाल	13,40
उत्तर प्रदेश	5,57
बिहार	3,66
पाण्डिचेरी	13
कुल	37,50

राज्य व्यापार निगम तथा खनिज  
तथा धातु व्यापार निगम द्वारा  
अर्जित लाभ

1888. डा० लक्ष्मीनारायण पांडेय :  
क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे  
कि:

(क) गत दो वर्षों में राज्य व्यापार  
निगम तथा खनिज तथा धातु व्यापार निगम  
को विभिन्न वस्तुओं के आयात से मद-वार  
कितना लाभ हुआ; और

(ख) यह लाभ इन वस्तुओं की  
लागत से कितने प्रतिशत अधिक है ?

वाणिज्य मंत्रालय में उपमंत्री ( श्री  
विष्णुनाथ प्रताप सिंह ) : (क) और (ख) :  
विभिन्न मदों के आयात से मदवार लाभ बनाना  
संभव नहीं है क्योंकि निगमों के ऊपरी स्तरों  
और स्टॉक रखने के संबंध में व्याज प्रभारों  
को अलग-अलग वस्तुओं के बीच नहीं बांटा  
जा सकता। तथापि, वर्ष 1973-74 तथा  
1974-75 के दौरान दोनों निगमों द्वारा  
अर्जित कुल लाभ इन वर्षों की उनकी अपनी-  
अपनी वार्षिक रिपोर्टों में दिखाया गया है,  
जिनकी प्रतियां संसद पुस्तकालय में उपलब्ध  
हैं।

राष्ट्रीयकृत बैंकों तथा यूनाइटेड  
वर्नाक्युल बैंक जाबरा, जिला रतलाम,  
मध्य प्रदेश द्वारा व्याज की  
अदायगी

1889. डा० लक्ष्मीनारायण पांडेय :  
क्या वित्त मंत्री यह बताने की कृपा करेंगे  
कि :

(क) क्या विभिन्न राष्ट्रीयकृत बैंक  
जिनमें मध्य प्रदेश के रतलाम जिले में जाबरा  
स्थित यूनाइटेड कमिशनल बैंक भी शामिल  
है, जमाकर्ताओं के खातों में जमा राशियों पर  
तथा रिफॉरम खातों पर गत वर्ष से बढ़ी हुई  
दर पर व्याज नहीं अदा कर रहे हैं;

(ख) क्या सभी बैंकों को इन संबंध  
में स्पष्ट निर्देश जारी किये गये थे; और

(ग) इन बैंकों का निर्देशों के अन्तर्गत  
कार्य न करने के क्या कारण हैं ?

राजस्व और बैंकिंग विभाग के प्रभारी  
राज्य मंत्री ( श्री प्रणव कुमार मुजर्जी ) :  
(क) से (ग) . रिजर्व बैंक के तारीख 22  
जुलाई, 1974 के निर्देशानुसार जमाओं पर  
व्याज की दरें बढ़ा दी गयी थी और भारतीय  
रिजर्व बैंक द्वारा सभी बैंकों को यह निर्देश  
दिये गये थे कि उन जमाओं पर भी जो  
23-7-1974 तक अदायगी के लिये परि-  
पक्व नहीं हुई थी, उस तारीख से शेष जमा-  
अवधि के लिये व्याज की बढ़ी हुई दरों का  
लाभ दिया जाय। भारतीय रिजर्व बैंक ने  
सूचित किया है कि जब भी उसके नोटिस में  
उसके द्वारा दिये गये निर्देशों के उपबंधों के  
उल्लंघन की कोई घटना आती है,  
सम्बन्धित बैंकों को तुरन्त मुद्रागतक कार-  
वाई करने के लिये निर्देश दिये जाते हैं।  
किन्तु भारतीय रिजर्व बैंक ने सूचित किया  
है कि उसके पास जाबरा, जिला रतलाम  
स्थित राष्ट्रीयकृत बैंकों द्वारा व्याज की  
अदायगी न करने के बारे में कोई विशिष्ट  
शिकायत नहीं आई है। यूनाइटेड कमिशनल  
बैंक ने सूचित किया है कि भारतीय रिजर्व  
बैंक के निर्देश से पहले जाबरा स्थित उसकी  
शाखा द्वारा स्वीकृत कुछ जमाओं पर बढ़ी  
हुई व्याज की दरों का लाभ पिछली तारीख  
से नहीं दिया गया था और अब इसने अपनी  
उस शाखा को यह सलाह दी है कि वह  
संबन्धित जमाकर्ताओं को व्याज के अन्तर की  
रकम की अदायगी अदायगी कर दे।

#### Assessee of Wealth-Tax

1890. SHRI S. R. DAMANI: Will the  
Minister of FINANCE be pleased to  
state:

(a) the number of persons whose  
taxable wealth is more than Rs. 25  
lakhs as on 31st March, 1975; and

(b) how many more assesses have been added as a result of disclosures under the Voluntary Disclosure Scheme?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The information is being collected and will be laid on the Table of the House.

**Hampering of India's Exports due to Port congestion in Persian Gulf**

1891. SHRI K. MALLANNA: Will the Minister of COMMERCE be pleased to state:

(a) whether the port congestion in the Persian Gulf is so serious that the ships have to wait for upto six months which is seriously hampering India's exports;

(b) whether Indian exporters are unable to meet delivery schedules and on this score are losing to European rivals who are not as competitive; and

(c) if so, the steps taken by Government to remedy the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Some of West Asia Gulf ports, particularly Khorramshahr, Basrah, Damman and Doha are heavily congested causing berthing delays ranging from 70 days at Doha to 150 days at Khorramshahr. Port congestion is affecting vessels of all nationalities, including India and exporters are unable to meet delivery schedules. However, there is no report of Indian exporters losing to European rivals.

(c) 1. Government and Shipping Conferences serving the trade from India to West Asia Gulf ports are actively considering a proposal to employ barges and mechanised sailing vessels to off load and cargo from the ship and discharge at the port to avoid detention of Indian vessels at the congested ports.

2. A delegation consisting of the representatives of East Coast of India/West Asia Gulf Conference, Eastern India Shippers Association and Government has been deputed to important gulf ports to study the problem with a view to devise ways and means to tackle the situation.

3. The Indian Shipping Lines have been advised to rationalise their sailing programmes to the congested ports so that minimum number of Indian ships with the maximum cargo go to these ports.

**Advances made by Nationalised Banks to sick Industrial Units**

1892. SHRI C. K. CHANDRAPPA: SHRI NITIRAJ SINGH CHAUDHARY: SHRI VASANT SATHE; SHRI K. M. MADHUKAR; SHRI R. N. BARMAN;

Will the Minister of FINANCE be pleased to state:

(a) whether a large number of sick industrial units in the country including those showing signs of incipient sickness are mainly responsible to cut down the profits of public sector banks;

(b) if so, the advances made by the public sector banks to sick industrial units during the last three years, State-wise;

(c) whether Government have considered the problem recently and formulated package of measures to meet the situation and contain the phenomena; and

(d) if so, the salient features thereof?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The fact that borrowing units may face difficulties due to a variety of reasons and that such difficulties may result in units becoming sick is inherent in the conduct of commercial banking operations by public sector



banks. In cases where sickness is incipient or temporary, banks make every attempt to nurse such borrowing units out of difficulties. Only when a unit becomes completely sick and closes down and there is no hope of its reopening either by its take over by other managements or by nationalisation, the possibility of banks losing any money advanced to such units arises. In such cases, it is possible that after the banks have enforced their legal claims against the securities which had been taken, ultimate write off of a bad debt may arise. As a normal practice of prudent banking, the banks, in consultation of their statutory auditors, do provide Reserves for bad and doubtful debts at the time of appropriation of profits earned by them year after year. Bad debts which are ultimately written off are met out of Reserve for bad and doubtful debts built by the banks.

In accordance with the provisions of Section 29 of the Banking Regulation Act, 1949, read with the proforma of Balance Sheet and Profit and loss account, prescribed under it, the Reserves for bad and doubtful debts of any bank are not disclosed in the published accounts. It is, therefore difficult to divulge any information regarding the advances made by the banks in relation to which Reserves for bad and doubtful debts have been provided for in the accounts of where bad debts have been actually written off.

(c) and (d). Ways and means to detect and remedy incipient sickness with the help of management and credit information system in industry have been continuously engaging the attention of the Government, in consultation with the Reserve Bank of India, the public sector banks and the long term public financial institutions.

**Demand made by Maharashtra Government for implementation of Cotton Monopoly Procurement Scheme**

1893. SHRI VASANT SATHE: Will the Minister of FINANCE be pleased to state:

(a) whether Government of Maharashtra have recently sought a short-

term loan of Rs. 40 crores from the Centre for liquidating its outstanding arrears of cotton for the season 1974-75;

(b) if so, the reaction of Government to the proposal; and

(c) what other steps are taken or proposed to help the State Government to tide over present financial difficulties in the implementation of Cotton Monopoly Procurement Scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) and (c). The request of the State Government is under consideration in consultation with the Reserve Bank of India.

**Amounts misappropriated by Employees of Air India/Indian Airlines**

1894. SHRI NITRAJ SINGH CHAUDHARY: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the amounts misappropriated or embezzled by employees of Air India/Indian Airlines during the last three years, year-wise; and

(b) the action taken against persons involved?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). The position in respect of Air-India and Indian Airlines is indicated below:—

The amount misappropriated or embezzled by employees of:—

**AIR-INDIA:**

	Rs.
1973-74 . . .	3,20,000
1974-75 . . .	9,328
1975-76 . . .	1,12,770

## Action taken :

Services terminated . . . 1 case

Criminal proceedings under taken and staff sentenced and service terminated . . . 1 case

Staff left service but criminal proceedings going on . . . 1 case

Departmental enquiry being instituted . . . 1 case

Cases under investigation . . . 2 cases

## INDIAN AIRLINES:

	Rs.
1973	14,819.47+
\$	1.30+
\$	6.25
1974	Rs. 28,919.96
1975	8,447.00

## Action taken

Removed from services . . . 7 cases

Demoted . . . 2 cases

Salary reduced . . . 8 cases

Enquiry pending . . . 3 cases

कुशावरा में बेरोजगार युवकों द्वारा  
पावरलूम कम्प्लेक्स की स्थापना

1895. श्री कमला मिश्र 'मधुकर' :  
क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे  
कि :

(क) क्या केरल में कुशावरा नामक  
स्थान पर 600 बेरोजगार युवकों ने अपने  
सम्मिलित प्रयास से एक पावरलूम कम्प्लेक्स  
की स्थापना की है, जो देश में अपने किस्म  
का विरल प्रयास है और जिसकी सराहना  
स्वयं मंत्री महोदय ने की है;

(ख) यदि हां, तो क्या अन्य राज्यों  
के बेरोजगार युवकों की ऐसा प्रयास करने  
के लिए प्रोत्साहित करने के लिए सरकार ने  
कोई योजना बनाई है; और

(ग) यदि हां, तो तत्संबंधी मुख्य  
बतें क्या हैं ?

वाणिज्य मंत्रालय में एक मंत्री (श्री  
विश्वनाथ प्रताप सिंह) : (क) केरल सर-  
कार ने एक पावरलूम कम्प्लेक्स स्थापित करने  
की योजना बनाई है जिसमें 400 करवे  
होंगे जिनसे लगभग 600 युवकों को रोजगार  
मिलेगा। लगभग 144 करवों के लिये आवश्यक  
परमिट दिये जा चुके हैं और चतुर्थ पंचवर्षीय  
योजना अवधि में राज्य को किये गये पावर-  
लूमों के आवंटन के आधार पर और परमिट  
जारी किये जा रहे हैं।

(ख) और (ग) केन्द्रीय सरकार ने  
पावरलूम कम्प्लेक्सों की कोई योजनाएं नहीं  
बनाई हैं।

Textile Mills in Kerala under National  
Textile Corporation

1896. SHRIMATI BHARGAVI THAN-  
KAPPAN: Will the Minister of COM-  
MERCE be pleased to state:

(a) the names of the textile mills in  
Kerala under National Textile Corpo-  
ration;

(b) the financial position of these  
mills after the take over by National  
Textile Corporation;

(c) whether any mills have again  
been closed down; and

(d) if so, the reasons therefor and  
steps being taken to run these mills?

THE DEPUTY MINISTER IN THE  
MINISTRY OF COMMERCE (SHRI  
VISHWANATH PRATAP SINGH): (a)  
The names of the mills are as under.—

- (i) Kerala Lakshmi Mills, Trichur.
- (ii) Alagappa Textile (Cochin)  
Mills, Alagappanagar
- (iii) Vijaymohini Mills, Trivan-  
drum.
- (iv) Parvathi Mills, Quilon.
- (v) Cannanore Spg. & Wvg. Mills,  
Cannanore.

(b) Loss in the month of January 1976 was Rs. 11.79 lakhs as against Rs. 20.89 lakhs in July 1975.

(c) No, Sir.

(d) Does not arise.

#### Export of goods to Yugoslavia

1897. SHRI D. D. DESAI: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have decided to export some goods to Yugoslavia to wipe off the rupee surpluses accumulated in that country; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Yes, Sir. As a result of the switchover to payments on a free foreign exchange basis with Yugoslavia with effect from 1st January, 1973, certain rupee balances accrued in favour of Yugoslavia.

In order to liquidate these rupee balances, it has been decided to export certain products like wire ropes, wire strands, wagon components, commercial vehicles, diesel engines and parts, linoleum, tractor components, automobile parts, pig iron, pulling and lifting machines, tyres, textiles, groundnuts, leather, tea and pepper.

कोटा शहर को विमान सेवा से जोड़ना

1898. श्री लाल जी भाई :

श्री श्रीकारलाल बेरवा :

क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान में कोटा शहर भारत के किसी भी प्रमुख शहर से विमान सेवा से जुड़ा हुआ नहीं है;

(ख) क्या इस संबंध में जनता और राज्य सरकार ने अनेक बार केन्द्रीय सरकार को पत्र लिखा है; और

(ग) यदि हां, तो इस संबंध में क्या कायवाही की गई है ?

पर्यटन और नागर विमानन मंत्री (श्री राज बहादुर) : (क) से (ग) : कोटा के लिए विमान सेवाओं के परिचालन के लिए मांग हुई है। पांचवीं योजनावधि के दौरान अपनी विमान सेवाओं के क्षेत्र के संभावित विस्तार के लिए इंडियन एयरलाइंस द्वारा जिन 20 नगरों की सूची तैयार की गयी है उन में कोटा भी है। परंतु, विमानन ईंधन के मूल्य में अत्यधिक वृद्धि तथा कारपोरेशन द्वारा वाइकाउंट तथा डकोटा विमानों को अपने विमान-बेड़े से निकाल देने के निर्णय के कारण, कारपोरेशन के लिए फलहाल कोटा को विमान सेवा से जोड़ना संभव नहीं हुआ है।

#### उदयपुर हवाई अड्डा

1899. श्री लालजी भाई : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उदयपुर हवाई अड्डे का विस्तार कार्य अभी तक पूरा नहीं हुआ है; और

(ख) यदि हां, तो इसके क्या कारण हैं और यह कार्य कब तक पूरा हो ?

पर्यटन और नागर विमानन मंत्री (श्री राज बहादुर) : (क) और (ख) : एक डेपुटी कमिशनर ने, जिसे उदयपुर विमानक्षेत्र का कार्य सौंपा गया था, लगभग 30 प्रतिशत कार्य पूरा करने के बाद कार्य को बीच में ही छोड़ दिया। डेपुटी कमिशनर को पढ़े तथा बकाया काम को दूसरे डेपुटी कमिशनर को

सोया गया। घाबन-पथ का बिस्तार तथा मजबूत करने का कार्य अब सतत जनक बंध से चल रहा है। बोइंग बी-737 विमानों के सीमित परिवारालनों की अब अनुमति दे दी गयी है क्योंकि वर्तमान घाबनपथ को मजबूत करने के लिए दो परतें डालने तथा घाबनपथ का 300 फुट तक और बिस्तार करके उसे 5700 फुट तक बढ़ा देने का कार्य पहले ही पूरा हो चुका है। समूचे कालों के इस कार्य के अंत तक पूरा हो जाने की आशा है जिससे यह बोइंग विमानों के नियमित परिवारालनों के लिए उपयुक्त बन जायगा।

#### आयकर वाला

1900. श्री सत्य श्री चर्च : क्या वित्त मंत्री यह बताने को इच्छा करेंगे कि वर्ष 1973, 1974 और 1975 में वर्षवार आयकर की न्यूनतम दर के अन्तर्गत आयकर दानाओं की निम्नी मर्यादा थी तथा उनमें कितना आयकर वसूल किया गया ?

राजस्व और बैंकिंग विभाग के प्रवक्ता राजव बंडी (श्री प्रबल कुमार मुखर्जी) : मान्य मंत्री मृचना, राजस्व और बैंकिंग विभाग म रखे गए रिकार्ड में उपलब्ध नहीं है। अपेक्षित मृचना एकत्र तथा संकलित करने में काफी श्रम लगेगा।

2. निरोक्षण निदेशक (अनपधान और साक्ष्यिकी), किसे विशेष वित्तीय वर्ष में समाप्त किए गए आयकर निर्धारणों में सम्बन्धित संगणना-पत्रों के आधार पर, मॉडल भारत के आयकर साक्ष्यिक विवरण तैयार करता है, जिसमें विभिन्न वर्गीकृत सूचना दी होती है। केवल उन्ही मामलों के बारे में अलग अलग शीर्षक उपलब्ध है जिसमें मांग उत्पन्न होती है। वित्तीय वर्ष में पूरे किए गए कर-निर्धारणों की संख्या में 1 कर-निर्धारण भी शामिल होते हैं जो

किसे स्थले कर-निर्धारण वर्ष से सम्बन्धित होते हैं। नवीनतम प्रकाशित साक्ष्यिक विवरण, वित्तीय वर्ष में 1972-73 के संबंध में ही उपलब्ध है, जिसके आधार पर, वित्तीय वर्ष 1972-73 के बारे में निम्नलिखित सूचना प्रस्तुत है:—

आयकर निर्धारित	निर्धारित
निर्धारित	आयकर,
की मर्यादा	जिसमें
	अधिभार भी
	शामिल है

10000 रु० तक की आय वाले व्यक्ति	1289432	307634000
10000 रु० तक की आय वाले हिन्दू अधिवक्ता परिवार	32874	8168000
10000 रु० तक की आय वाली अपजीवित पत्नियों	7502	2378000
10,000 रु० तक की आय वाले अधिवक्ता-पत्नी	3895	2285000
10000 से 25000 रु० तक की आय वाली पंजीकृत पत्नियों	86948	31681000
जोड़	1411151	362146000

3. निम्न कर दाताओं के मामले में कर की दर एक गमान है और इस बात को ध्यान में रखने हुए, उन्हें उपर्युक्त सूचना में शामिल नहीं किया गया है।

4. कर को न्यूनतम दर, न केवल इन मामलों में ही लागू होता है बल्कि कर की अधिकतम दर पर लगाए जा रहे निर्धारितियों को धार्य के उभ हितों पर भी लागू होती है जो निम्न खण्ड में धार्यो है।

**कार्ये धन का स्ता लगाने के लिए धार्ये**

1901. श्री लाल जी धार्ये : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि धार्यकर अधिकारियों ने वर्ष 1973 में 1975 के धार्ये, कितने धार्ये धार्ये तथा उसके परिणामस्वरूप, वर्षवार, कितनी राशि धार्ये की ?

राजस्व और वित्त विभाग के प्रधारी राक्ष मंत्री ( श्री प्रबल कुमार मुखर्जी ) : केन्दर वर्ष 1973, 1974 और 1975 में धार्य-र प्रधिकारियों धार्ये की कार्य-धारियों की संख्या, तथा उसके परिणाम-पकड़ी गई परिमपत्तियों का मूल्य इस प्रकार है —

केन्दर वर्ष	नी गई नलाधियों की संख्या	पकड़ी गई परिमपत्तियों का मूल्य (लाख रुपयों में)
1973	488	449
1974	1758	1478
1975	2475	2108

# **Uneconomic routes operated by Indian Airlines**

1902. SHRI JAGANNATH MISHRA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Indian Airlines are operating any uneconomic routes; and

(b) if so, the particulars thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Of the 93 routes operated by Indian Airlines during 1974-75, 72 were uneconomic routes. A statement giving these routes is laid on the Table of the House. [Placed in Library. See No. LT-10616/76].

## **Air Agreement with Sri Lanka**

1903. SHRI JAGANNATH MISHRA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether an air accord has been signed with Sri Lanka recently; and

(b) if so, the main features thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Consultations as between the delegations of the Government of India and the Government of Sri Lanka were held in New Delhi on 12th and 13th February, 1976. The two delegations agreed as follows:—

(i) The designated airline of the Government of Sri Lanka shall be entitled to operate to Karachi and Sharjah via Bombay within the overall entitlement of 14 services per week. The number of services so operated from Bombay to Sharjah via Karachi shall not exceed two per week in each direction.

(ii) The airline designated by the Government of Sri Lanka shall be entitled to uplift/discharge at Bombay not more than 30 (thirty) fifth freedom passengers per week between Bom-

bay and Sharjah on the two specified services. This limitation could be computed on a fortnightly basis. There shall not be any restrictions on fifth freedom carriage between Bombay and Karachi on the services specified above.

- (iii) The designated airline of Sri Lanka shall have the right to omit Karachi on any one of these services.

With reference to their right to operate to points beyond Colombo without any restrictions, the Indian delegation indicated the intention of the designated airline of the Government of India to operate services between Colombo and Male. This was noted by the Sri Lanka delegation.

It was agreed that pending Exchange of Letters, the arrangements set out above would be given effect to as from 13-2-1976.

#### Production of Fine and Medium Cloth

1904. SHRI SOMNATH CHATTERJEE: Will the Minister of COMMERCE be pleased to state the total production of fine and medium varieties of cloth in the country from 1973 to 1975 year-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): The production figures of Medium 'B', Medium 'A' and Fine categories of cloth during 1973 to 1975, year-wise are as follows:

(Figures in million metres)

Year	Medium 'B'	Medium 'A'	Fine
1973	1287.7	1558.9	368.3
1974	1272.4	1957.6	276.6
1975 (Provl)	1151.1	1858.9	247.7

#### Increase in profits of Public Limited Companies

1905. SHRI SOMNATH CHATTERJEE: Will the Minister of FINANCE be pleased to refer to the answer given to Starred Question No. 72 on 9th January, 1976 regarding profits of public Limited Companies and state:

(a) whether profits of public limited companies have further increased during 1974-75;

(b) if so, the facts thereof;

(c) whether Government have any scheme to impose ceiling on profits; and

(d) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The Reserve Bank has not yet published any study relating to 1974-75.

(c) At present there is no such scheme under the consideration of the Government.

(d) Does not arise.

#### Performance of I.T.D.C. Hotels

1906 SHRI P. GANGADEB: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the profits earned by India Tourism Development Corporation hotels in 1975-76.

(b) whether I.T.D.C. has improved upon its performance during the last three years, and

(c) if so salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) The accounts of the India Tourism Development Corporation for the year 1975-76 are under compilation. However, the profit earned by the India Tourism Development Cor-

poration hotels from April 1975 to January 1976 has been provisionally worked out to be Rs. 15.65 lakhs. This figure is subject to audit and adjustment.

(b) and (c) Yes, Sir. The profits of the India Tourism Development Corporation hotels for the last three years are as under:—

Year	Net profit (Rs. in Lakhs)
1972-73 . . . . .	32.01
1973-74 . . . . .	19.93
1974-75 . . . . .	68.23

#### City Compensatory Allowance to Central Government employees posted at Chandigarh

1907. SHRI PRABODH CHANDRA: Will the Minister of FINANCE be pleased to state

(a) whether the Central Government employees posted at Chandigarh get far less city compensatory allowance in comparison to the allowance paid to the Punjab and Haryana Government employees posted at the same place; and

(b) if so, the reasons for this disparity?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) It is understood that the Governments of Punjab and Haryana have sanctioned a compensatory allowance of 12½ per cent of pay to their employees at Chandigarh. Central Government employees posted at Chandigarh are entitled to a Special Compensatory Allowance at 5 per cent of their basic pay.

(b) In the matter of grant of compensatory allowance to their employees, the Central Government have their own separate criteria which are based on the recommendations of the Third Pay Commission and are applied uniformly throughout the country. The State Governments have their own criteria in this matter, which differ not only as between the Centre and the States but also as between the States themselves.

#### Fake Notes Gang in Kerala

1908. SHRI M. RAM GOPAL REDDY: Will the Minister of FINANCE be pleased to state

(a) whether a fake notes gang was recently smashed in Kerala, and

(b) if so, the number of persons arrested?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The information is being collected from the Government of Kerala and will be laid on the Table of the House as soon as possible.

#### Production and Export of Tea

1909. SHRIMATI PARVATHI KRISHNAN: Will the Minister of COMMERCE be pleased to state:

(a) the total production of tea during the last three years;

(b) the total quantity of tea exported during that period;

(c) the amount earned by Government as foreign exchange during that period; and

(d) what was the total quantity of tea exported to rupee payment countries?



**THE DEPUTY MINISTER IN THE  
MINISTRY OF COMMERCE (SHRI  
VISHWANATH PRATAP SINGH):**

(a) to (d). Details of production and exports of tea during 1972-73 to 1974-75 are as under:—

Year	Production (M.kgs.)	Export Qty M.kg.	Value Rs. Cr.	Export to Rupee Limit (M.kg.)
1972-73	456.00	193.2	147.29	84.8
1973-74	472.00	190.3	144.85	72.6
1974-75	489.50	220.8	219.93	85.8

#### Purchase of cotton

**1910. SHRI NITIRAJ SINGH CHAUDHURY:** Will the Minister of COMMERCE be pleased to state:

(a) whether the National Textile Corporation owes any money to merchants for cotton and other materials purchased by it on credit, and

(b) if so, amount thereof and when were the purchases made?

**THE DEPUTY MINISTER IN THE  
MINISTRY OF COMMERCE (SHRI  
VISHWANATH PRATAP SINGH):**  
(a) and (b). The information is being collected and will be laid on the Table of the House.

#### Indo-Yugoslav Joint Committee

**1911. DR. RANEN SEN:**

**SHRI M. KATTIAMUTHU:**

Will the Minister of COMMERCE be pleased to state:

(a) whether the Tenth Session of the Indo-Yugoslav Joint Committee was held in Belgrade in February, 1976; and

(b) if so, the outcome thereof?

**THE DEPUTY MINISTER IN THE  
MINISTRY OF COMMERCE (SHRI  
VISHWANATH PRATAP SINGH):** (a) and (b). Yes, Sir. At the Tenth Session of the Indo-Yugoslav Joint Committee, held in Belgrade in February, 1976, discussions were held with the Yugoslavs

on various matters of mutual interest in the field of trade, industrial collaboration, cooperation in banking, finance and shipping and cooperation in third countries. There was an exchange of views on multilateral issues in the background of the forthcoming UNCTAD IV. The two sides examined the possibilities and identified areas for the diversification of mutual trade. The Yugoslav side indicated their interest in the import of high grade iron ore and in the supply of wagons from India. Promising areas of Indo-Yugoslav cooperation in third countries were also identified.

In the field of banking and finance, both sides expressed their satisfaction with the establishment of first contacts among Yugoslav business banks and branches of Indian banks abroad.

In the field of cooperation in shipping, the Yugoslav side agreed to enter into negotiations on an agreement on shipping with India during the course of this year.

#### Tea Research Station at Cachar

**1912. SHRI D. K. PANDA:** Will the Minister of COMMERCE be pleased to state:

(a) whether the Indian Tea Association has demanded setting up of a full-fledged tea research station at Cachar; and

(b) if so, Government's reaction thereto?



**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):**

(a) Government have seen a news by the Government so far

(b) No formal proposal has been received either by the Tea Board or by the Government so far.

**Construction of Airport in Libya by International Airports Authority of India**

1913. **SHRI RAJDEO SINGH:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Libyan Government have formally handed over a site for an airport to be constructed by the International Airports Authority of India and the National Building Construction Corporation,

(b) whether the Rs 36 crore project is one of the biggest civil engineering works ever awarded by any country to Indian design and execution agencies;

(c) if so whether the Airports Authority has set up its own consultancy services for planning construction and development of airports and terminals, or will it take the help of some other organisation in the country; and

(d) whether this assignment was obtained by competing in a global tender?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** (a) Yes, Sir. The site was formally handed over by the Government of Libya to the International Airports Authority of India on 31st March, 1976.

(b) This contract is one of the biggest civil engineering contracts abroad, awarded to an Indian agency.

(c) and (d). The International Airports Authority of India has expertise in planning, designing and project management of airport construction

jobs. The actual construction work will, however, be carried out by the National Buildings Construction Corporation who are working as "construction associates" of International Airports Authority of India. This contract has been secured after competing in a global tender

**Indian Engineering Goods**

1914 **SHRI RAJDEO SINGH:** Will the Minister of COMMERCE be pleased to state the name of the country which is biggest importer of our engineering goods?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** During 1974-75, Iraq was the biggest importer of Indian engineering goods.

**Missing of jewellery and other assets from bank lockers**

1915 **SHRI C. K. CHANDRAPPA:** Will the Minister of FINANCE be pleased to state

(a) whether Government are aware of complaints from the public in regard to loss of jewellery and other assets from bank lockers;

(b) if so, the particulars thereof, and

(c) what steps Government have taken against such fraud cases?

**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** (a) to (c). Government have received certain complaints in January-February, 1976 alleging loss of cash and/or jewellery from the lockers of a branch of a bank in Delhi. The Delhi Police have also reported that a case has been registered in January, 1976 by them on complaints filed with them in this regard. Police investigations in respect of these complaints are still continuing and only after the police investigation is completed, it will be

known whether the contents of any lockers were missing. In branches where there is provision for lockers, banks have their usual arrangements for ensuring safety and security of lockers.

#### Trade between Tripura and Bangladesh

1916. SHRI DASARATHA DEB: Will the Minister of COMMERCE be pleased to state:

(a) whether the normal trade relations between India and Bangladesh have been restored; and

(b) if so, whether there is normal trade in tortoise and fish between Tripura and Bangladesh?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) India and Bangladesh have normal trade relations.

(b) It is proposed to import fish worth Rs 3.5 crores from Bangladesh during 1976. A part of the import will be through entry points in Tripura.

There is at present no proposal to import tortoises from Bangladesh

#### भूतपूर्व राजाओं के घरों, आदि पर छाये

1917. श्री शौकार लाल बेरवा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि गत एक वर्ष के दौरान किन किन भूतपूर्व राजाओं के घरों आदि पर छाये मारे गये और बरामद की गई अस्त्वियों का मूल्य कितना है ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रमथ कुमार मुजर्मी) : जयपुर के भूतपूर्व शासक परिवारों के विभिन्न परिसरों में, आयकर और स्वर्ण-नियंत्रण अधिकारियों द्वारा ली गई तलाशियों के फलस्वरूप, फरवरी से जून 1975 तक की

अवधि में जो नकदी, जेवर-जवाहिरात, चांदी की वस्तुएं और कीमती सामान पकड़े गए थे, उनका कुल मूल्य लगभग 9.9 करोड़ रुपये था। इनमें से लगभग 4.9 करोड़ रुपये मूल्य का शुद्ध सोना, सोने के सिक्के, वस्तुएं और जेबरात स्वर्ण नियंत्रण अधिकारियों द्वारा पकड़े गए थे। आयकर अधिकारियों ने 5 करोड़ रुपये मूल्य की कीमती वस्तुएं और अन्य परिसम्पत्तियां पकड़ी थीं।

अक्तूबर और नवम्बर, 1975 में, खानियर के भूतपूर्व शासक परिवार के परिसरों में आयकर तथा स्वर्ण नियंत्रण अधिकारियों द्वारा ली गई तलाशियों में जो शुद्ध सोना, वस्तुएं तथा गहने और चांदी के बर्तन पकड़े गए थे, उनका कुल मिलाकर मूल्य 1.65 करोड़ रुपये था। स्वर्ण नियंत्रण अधिकारियों द्वारा पकड़े गये शुद्ध सोने, वस्तुओं और जेबरात का मूल्य 72 लाख रुपये था। इसमें 25 लाख रुपये मूल्य की चूड़ियों की शकल में 50 किलोग्राम सोने के गोल छड़े शामिल हैं, जो सोना शल्क अधिनियम के अन्तर्गत पकड़ी गई थीं। आयकर अधिकारियों द्वारा पकड़ी गई परिसम्पत्तियों और कीमती सामान का कुल मूल्य 93 लाख रुपये था। आयकर अधिकारियों ने 107 लाख रुपये मूल्य की परिसम्पत्तियों और कीमती सामान का भी, प्राग् जोच पड़ना जान तक, आयकर अधिनियम की धारा 132(3) के अन्तर्गत सील कर दिया था।

वर्ष 1975 में स्वर्ण नियंत्रण अधिकारियों द्वारा दासपत्ता के भूतपूर्व राजा के भुवनेश्वर स्थित परिसरों और बैंक लाकरों की तलाशियों के परिणामस्वरूप, स्वर्ण नियंत्रण अधिनियम के अन्तर्गत 1.81 लाख रुपये मूल्य का शुद्ध सोना, वस्तुएं और जेबरात पकड़े गए थे।

वर्ष 1975 में स्वर्ण नियंत्रण अधिकारियों द्वारा महाराष्ट्र में जोर के भूतपूर्व राजा के परिसरों की तलाशियों के परिणामस्वरूप,

कुल मिलाकर 2.25 लाख रुपए मूल्य की सने की वस्तुएं और जेवरों पकड़े गए थे।

अन्य भूतपूर्व राजाओं के सम्बन्ध में छापों और उनमें पकड़ी गई परिसम्पत्तियों के मूल्य का व्यौरा, यदि कोई है, एकत्रित किया जा रहा है और सदन पटल पर रख दिया जायगा।

### Santa Cruz Electronics Export processing Zone

1918. SHRI P. R. SHENOY: Will the Minister of COMMERCE be pleased to state:

(a) the number of units that have been established in the Shanta Cruz Electronics Export Processing Zone and the total export made by these units so far; and

(b) whether there is any proposal to establish such units in other parts of the country with port facilities?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Twelve. The value of exports from the Zone since its inception i.e. from 1st September, 1974 to 24th March, 1976, is Rs. 58.78 lakhs.

(b) Some suggestions have been received for setting up other free trade zones in a few port towns, but no decision has been taken on any of them so far.

### Amount invested by L.I.C. in major and medium industries

1919. SHRI P. R. SHENOY: Will the Minister of FINANCE be pleased to state:

(a) the total amount invested by the Life Insurance Corporation of India in major and medium industries in the year 1975 industry-wise; and

(b) the total amount invested in States and other securities during this period, State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). Two statements giving the required information are laid on the Table of the House. [Placed in Library. See No. LT 10611/76].

### Recruitment in Nationalised Banks

1920. SHRI P. R. SHENOY: Will the Minister of FINANCE be pleased to state:

(a) the total number of persons recruited in different grades in the nationalised banks in 1975; and

(b) the total number out of them belonging to the Scheduled Castes and Tribes under each grade?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). Information as furnished by 14 nationalised banks regarding recruitment of Officers, Clerks and Subordinate Staff during 1975 is given below:

Category	Total No. recruited	No. of SC/ST persons recruited
Officers . . . . .	1418	215
Clerks . . . . .	10257	2237
Subordinate Staff . . . . .	4081	1272

### Impression on Foreign Tourists

1921. SHRI RAJDEO SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government are aware that display of art pieces depicting working women in semi-nude state at public places like railway stations and airports is having a poor impression on foreign tourists; and

(b) whether Government propose to remove or replace all such portraits?

**THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH):** (a) and (b). The Government is not aware of such displays at public places like railway stations and airports, which should have adverse effect on foreign tourists.

**Composition of Committee set up under the Chairmanship of Managing Director of Cotton Corporation of India**

**1922. SHRI VASANT SATHE:** Will the Minister of COMMERCE be pleased to state:

(a) the composition of Committee set up under the Chairmanship of Managing Director, Cotton Corporation of India and its terms of reference, and

(b) whether adequate representation to the cotton growers has been given on the study panel?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) A statement is attached.

(b) Yes, Sir.

#### Statement

#### (a) COMPOSITION OF THE COMMITTEE

1. Shri N. S. Kuikarni, Managing Director, Cotton Corporation of India, Bombay—Chairman.
2. Adviser (Cotton), Office of the Textile Commissioner, Bombay.
3. Agricultural Production Commissioner, Ministry of Agriculture & Irrigation.
4. Representative of I.C.A.R.
5. Managing Director, National Textile Corporation.

6. Shri C. S. Ramachar, M/s. Sitalakshmi Mills, Madurai.

7. Shri K. Sunderaj, Managing Director, Tuffite Plastics, Coimbatore.

8. Shri B. G. Kakatkar, General Secretary, I.C.M.F., Bombay.

9. President, East India Cotton Association, Bombay.

10. Shri M. G. Bokare, Nagpur.

#### TERMS OF REFERENCE

The Committee is required to go into the present relationship between the price of kapas paid to the growers, the Mill-gate prices of lint and the prices fixed for yarn/cloth and recommend whether any changes on rationalisation can be effected in the interests of maintaining stability of both cotton and yarn/cloth prices in the interests of growers on the one hand and the consumers on the other

Shri C. S. Ramachar of M/s. Sitalakshmi Mills, Madurai had, however, expressed his inability to associate himself with the Committee for reasons of health.

Dr. M. G. Bokare is the Secretary of the Maharashtra Cotton Growers' Sang and also Editor of Indian Kapas Bulletin. Besides him, the Agricultural Production Commissioner to the Government of India and the representatives of I.C.A.R. also directly represent the interests of the growers.

#### Development of Civil Aviation in Maharashtra during Fifth Plan

**1923. SHRI VASANT SATHE:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government of Maharashtra have furnished proposals regarding development of Civil Aviation in Maharashtra State during the Fifth Plan;

(b) if so, the main features thereof and expenditure involved; and

(c) the proposals that have been approved and incorporated in the Fifth Plan and the proposal still under the examination of Union Government!

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** (a) The Director General of Civil Aviation has not so far received any proposals in this regard from the Maharashtra Government.

(b) and (c). Do not arise.

#### Problems faced by Carpet Weavers

1925. **SHRI SARJOO PANDEY:** Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware of the problems faced by carpet weavers in India and particularly in U.P.; and

(b) if so, the facts thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):**

(a) and (b) As far as Government is aware, there is a good demand for the services of carpet weavers all over the country and especially in U.P. from where the bulk of exports takes place. Their wages/earnings have been generally rising with the increase in demand for carpets

#### अल्प वयस योजनाओं के अन्तर्गत जमा की राशि

1926. **श्री मूल चन्द शर्मा :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों के दौरान वर्षवार अल्प वयस योजनाओं के अन्तर्गत कितनी धनराशि जमा कराई गई ; और

(ख) क्या वर्ष 1976-76 में इन योजनाओं के अन्तर्गत कोई राशि जमा कराई गई है और यदि हाँ, तो इसके क्या कारण हैं ?

वित्त मंत्रालय में उच्च मंत्री (धीनस्थित कुसीमा रोहतासी) : (क) गत तीन वर्षों के दौरान छोटी वयस की स्कीमों के अन्तर्गत जमा कराई गई निम्न राशि का व्योरा इस प्रकार है :—

(करोड़ रु०)

वर्ष	राशि (विनाश्वीय आंकड़ें)
1973-74 . .	473
1974-75 . .	326
1975-76 . .	184
(दिसम्बर 1975 तक)	

(ख) पूरा वर्ष 1975-76 के आंकड़े अभी उपलब्ध नहीं हैं लेकिन दिसम्बर 1975 तक संग्रहीत रकमों के वास्तविक आंकड़ों से ऐसा पता चलता है कि 1974-75 की तुलना में 1975-76 में अधिक रकम जमा होगी।

#### Proposal to Link Daltanganj (Bihar) by Air

1927 **SHRI HARI KISHORE SINGH:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether there is any proposal to link Daltanganj (Bihar) by air service especially in view of the tourist attractions of Betia National Park?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** There is no proposal to airtlink Daltanganj at present.

#### Payment of Compensation to the Share Holders of Bank of Bihar

1928. **SHRI HARI KISHORE SINGH:** Will the Minister of FINANCE be pleased to state:

(a) whether the share holders of the Bank of Bihar have not been paid compensation since its take-over;

(b) if so, the reasons therefor; and

(c) by what time the compensation is likely to be paid?

**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** (a) No compensation has been paid so far to the share holders of the Bank of Behar Ltd.

(b) and (c) The readily realisable assets of the Bank of Behar Ltd. were not sufficient to meet in full its deposit and other liabilities. However, to pay the amount due to the depositors in full the short-fall was made good by the Deposit Insurance Corporation and the State Bank of India with which the bank was amalgamated. The scheme of amalgamation provides that the share holders are to be paid prorata compensation only after the dues of the Deposit Insurance Corporation and the State Bank of India are met out of the realisations made from the not readily realisable assets of the Bank of Behar Ltd.

Reserve Bank of India has reported that, as on 30th September, 1975, the assets of the bank still to be realised stood at Rs. 118.13 lakhs and the amounts due from it to the State Bank and the Deposit Insurance Corporation stood at Rs. 34.15 lakhs and Rs. 16.70 lakhs respectively. As the realisation of the unrealised assets depends on several factors and dues of Deposit Insurance Corporation and the State Bank are to be paid first, it may not be possible to indicate at this stage, the time by which payment to the shareholders of the bank could be made.

#### **Purchase of Concorde Aircraft**

1929. **SHRI HARI KISHORE SINGH:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have taken any decision in regard to the purchase

of Concorde aircraft for Air India and the Indian Airlines; and

(b) if so, the facts thereof?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** (a) and (b). Air-India and Indian Airlines have no proposal to acquire any Concorde aircraft.

#### **High Price of Textile Goods**

1930. **SHRI HARI KISHORE SINGH:** Will the Minister of COMMERCE be pleased to state the reasons for continued high prices of the textile goods, especially in view of the apparent crash in prices of raw material?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** According to the Index Number of wholesale prices of mill cloth during February 1976 the level was 161 per cent less than that during February 1975.

#### **Proposal to place Srinagar Airport on International Air Route**

1931. **SHRI SYED AHMED AGA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether in order to facilitate the visit of foreign tourists to Kashmir, Government propose to place Srinagar Airport on international air route?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR):** There is no proposal under consideration at present to place Srinagar airport on international air route. However, Indian Airlines are providing adequate jet and other air services to Srinagar.

#### **Ceiling in Business of Foreign Banks**

1932. **SHRI VEKARIA:** Will the Minister of FINANCE be pleased to state whether there is any ceiling on the total balance of business of foreign banks working in India?



**THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):** The working of all commercial banks, including foreign banks, is governed by the provisions of the Banking Regulation Act 1949, Reserve Bank of India Act 1934, Foreign Exchange Regulation Act 1973 and other statutes as also the directives issued and policies laid down by the Reserve Bank of India, and no specific ceiling as to the volume of business which may be handled by the foreign banks has been prescribed.

#### Exports by Foreign Companies

**1933. SHRI VEKARIA:**  
**SHRI ARVIND M. PATEL:**

Will the Minister of COMMERCE be pleased to state:

(a) whether certain foreign companies are exporting about 50 per cent of their total production;

(b) if so, the names of those foreign companies; and

(c) the products being exported by them?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) to (c). Export statistics are not maintained firmwise.

#### Import of Raw Cashew

**1934. SHRIMATI BHARGAVI THANKAPPAN:** Will the Minister of COMMERCE be pleased to state:

(a) whether any trade agreements have been concluded with African countries for the import of raw cashew; and

(b) if so, the salient features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) and (b). No, Sir.

The Casnew Corporation of India through whom the import of raw cashew-nuts is canalised, however, concludes, from time to time, purchase contracts for import of raw cashewnuts from African countries.

For the import of raw cashewnuts of 1975-76 crop, the Corporation has so far concluded in December 1975, through their agent in Kenya, a contract for the purchase of a quantity of about 10,000 to 15,000 tonnes from Kenya.

#### Import of zinc and copper

**1935. SHRI P. GANGADEB:** Will the Minister of COMMERCE be pleased to state.

(a) whether there was any fall in the imports of zinc and copper during the current financial year;

(b) if so, reasons therefor; and

(c) the total quantity of zinc imported during 1974-75 and 1975-76?

**THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):** (a) Yes, Sir.

(b) Increased indigenous production and carry over of imported stocks from previous year arising from slow off-take by consumers.

(c) 1974-75 70,000 tonnes, 1975-76: (Provisional) 33,000 tonnes.

12.00 hrs.

# PAPERS LAID ON THE TABLE

REPORT ON THE WORKING OF DEPOSIT INSURANCE CORPORATION BOMBAY FOR THE YEAR 1974 AND NOTIFICATION UNDER CUSTOMS ACT, 1962

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg:

- (1) to re-lay on the Table a copy of the Report (Hindi and English versions) on the working of the Deposit Insurance Corporation, Bombay, for the year ended the 31st December, 1974, along with the Audited Accounts, under sub-section (2) of section 32 of the Deposit Insurance Corporation Act, 1961. [Placed in Library. See No. LT-10042/76].
- (2) to lay on the Table a copy of Notification No. G.S.R. 441 (Hindi and English versions) published in Gazette of India dated the 27th March, 1976, under section 159 of the Customs Act, 1962 together with an explanatory memorandum. [Placed in Library. See No. LT-10602/76].

ANNUAL REPORT OF INDIA TOURISM DEVELOPMENT CORPORATION FOR 1974-75

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the India Tourism Development Corporation Limited, New Delhi, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [Placed in Library. See No. LT-10603/76].

INSURANCE (AMDT.) RULES, 1976, EMERGENCY RISKS (GOODS) INSURANCE (AMDT.) SCHEME, 1976, EMERGENCY RISKS (UNDERTAKINGS) INSURANCE SCHEME, 1976 ETC. (AMDT.)

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): I beg to lay on the Table—

(1) A copy of the Insurance (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 404 in Gazette of India dated the 20th March, 1976, under sub-section (3) of section 114 of the Insurance Act, 1938. [Placed in Library. See No. LT-10604/76].

(2) A copy of the Emergency Risks (Goods) Insurance (Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No. S.O. 201(E) in Gazette of India dated the 18th March, 1976, under sub-section (6) of section 5 of the Emergency Risks (Goods) Insurance Act, 1971. [Placed in Library. See No. LT-10605/76].

(3) A copy of the Emergency Risks (Undertakings) Insurance (Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No. SO 202(E) in Gazette of India dated the 18th March, 1976, under sub-section (7) of section 3 of the Emergency Risks (Undertakings) Insurance Act, 1971. [Placed in Library. See No. LT-10606/76].

(4) A copy of the Annual Report (Hindi and English versions) on the working of the Industrial and Commercial Undertakings of the Central Government for the year 1974-75— Volumes I—III. [Placed in Library. See No. LT-10607/76].

(5) A copy each of the Detailed Demands for Grants (Hindi and English versions) of the following Ministries for 1976-77:—

- (i) Ministry of Chemicals and Fertilizers;



(ii) Ministry of Information and Broadcasting;

(iii) Ministry of Petroleum.

[Placed in Library. See No. LT-10608/54].

12.01 hrs.

### ASSENT TO BILLS

SECRETARY-GENERAL: Sir, I lay on the Table following ten Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 26th March, 1976:—

- (1) The Appropriation (Vote on Account) Bill, 1976.
- (2) The Gujarat State Legislature (Delegation of Powers) Bill, 1976.
- (3) The Contempt of Courts (Amendment) Bill, 1976.
- (4) The Kerala Legislative Assembly (Extension of Duration) Amendment Bill, 1976.
- (5) The Appropriation (Railways) No. 2 Bill, 1976.
- (6) The Appropriation (Railways) No. 3 Bill, 1976.
- (7) The Foreign Contribution (Regulation) Bill, 1976.
- (8) The Tamil Nadu Appropriation Bill, 1976.
- (9) The Tamil Nadu Appropriation (No. 2) Bill, 1976.
- (10) The Gujarat Appropriation Bill, 1976.

1-1/2 hrs

### JIC ACCOUNTS COMMITTEE

#### HUNDRED AND NINETY-THIRD REPORT

SHRI H. N. MUKERJEE (Calcutta-North-East): I beg to present the Hundred and Ninety-third Report of the Public Accounts Committee on paragraphs included in Chapter IV of the Reports of the Comptroller and

Auditor General of India for the years 1971-72 and 1972-73, Union Government (Civil), Revenue Receipts, Vol. II—Direct Taxes—Gift Tax—relating to the Department of Revenue and Insurance.

SHRI THA KIRUTTINAN (Sivaganja): Before going to the next item, may I draw your attention to the notice that I gave about the death of one Mr. Balakrishnan who was arrested under MISA. Whether he died in the prison or outside?

MR. SPEAKER: You have not received my consent. It is not in order to raise it like that. If you have given notice, I will consider that.

SHRI C. T. DHANDAPANI (Dharampuram): I want to know whether the death of DMK Secretary was natural death or un-natural (Interruptions)

SHRI THA KIRUTTINAN: Since Tamil Nadu is under President's Rule, the Home Minister should make a statement in the House. (Interruptions).

MR. SPEAKER: The Home Minister.

12.02 hrs.

### DEMANDS FOR GRANTS 1976-77—MINISTRY OF HOME AFFAIRS—Contd.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Mr. Speaker Sir, I feel most thankful to the large number of hon. Members who have participated in the discussions on the Demands of this Ministry. It is a matter for gratification that many hon. Members who spoke, felt inclined to pay a commitment to the way the Ministry has functioned in the last one year. It is a welcome phenomenon and on behalf of all the functionaries of my Ministry, I wish to express our grateful thanks to those who have heartened us for a better performance in 1976-77.

[Shri K. Brahmananda Reddy]

All hon. Members who participated made valuable contribution to the discussion, made good suggestions and here and there made valid criticisms also. It may not be possible for me to reply to every point that has been raised by every hon. Member, but it shall be my effort only to give a broad picture to this hon. House as to the way it has functioned during the last one year. It does not mean that this Ministry has lost sight of the valuable suggestions that have been made here. In due course, they will be examined, considered and disposed of.

I must also express my thanks to my colleagues, Shri Om Mehta and Shri Mohsin who were kind enough to intervene in the debate and had replied to several of the points that have been made out here and also tried to give a lot of information on matters that are administered under the Home Ministry. We look back to the year 1975-76 as an year of achievements.

Sir, the declaration of emergency on the 25th June 1975 has created a sense of discipline in the entire society. Though Mr. Bhogendra Jha might try to say that it was delayed and that we had no other option but to declare emergency, still, thanks to the determination and foresight of Shrimati Indira Gandhi, our Prime Minister this nation was pulled back from the precipice of disorder and instability. The proclamation of emergency has also saved this nation, this young republic, this nascent democracy—and all that we have built during the last 25 years—from the onslaughts of right reaction and the pro-fascist and undemocratic forces in this country. You also know, Sir, that this nation was able to turn a new leaf and move forward towards social and economic reconstruction. I do not want to go at length into the entire situation, because it has been debated in this House on several occasions; and the Prime Minister had also occasions to speak at length in this House as well as in the other House. Mr. H. M. Patel

might now say or present a posture of injured innocence. He was speaking yesterday and was trying to show that they were self-righteous and that there was nothing in what they had done, which led to the proclamation of emergency. I hope Mr. Patel and his friends will look back on what has happened from the year 1974 till the middle of 1975, i.e., what had happened in this country and who had contributed to that spirit of lawlessness, to that atmosphere of violence and of trying to short-circuit democratic processes in this country. Who has contributed to them? Mr. Patel was asking yesterday: "Did we do anything against increased production; did we do anything to interfere with the distribution of supplies?" etc. But, Sir, before he puts that question, he must try to appreciate the atmosphere into which this country was thrown, and by whom. Therefore, I would request him to look at it that way, to have some introspection and not to say that they were not at all responsible and that none of the so many Opposition Parties was responsible for creating that climate. If you go on in the same way, trying to adopt the same posture, it does not help anybody; you are not contributing to any closer examination of the political situation.

Then, he made the point that the Prime Minister in her speech to the foreign journalists said that the opposition must behave in a responsible manner. Then he asked, "What is it? Have we behaved otherwise?" I think at this late hour I need not convince anybody as to what is responsible for the declaration of emergency in this country.

SHRI H. M. PATEL (Dhandhuka)

No, that is a wrong presentation. My reference was to the lifting of the emergency. It was stated that the emergency would be lifted, when the opposition behaves as it is expected to behave. So, my question was whether the opposition was not behaving as it was expected to behave, so far as the lifting of the emergency is concerned.

**SHRI R. S. PANDEY** (Rajnandgaon): The Baroda case is a glaring example.

**SHRI K. BRAHMANANDA REDDY:** You may also recall the several statements that have been made by the Prime Minister that there is no question of going back to the way in which some of the opposition parties had functioned, either inside or outside the House. Certainly in a democracy like ours, especially a parliamentary democracy....

**SHRI DINEN BHATTACHARYYA** (Serampore): The emergency must continue!

**SHRI K. BRAHMANANDA REDDY:** ....there is scope for everything. But the way in which you tried to approach the problem, by creating anarchic conditions, by creating disorder in this country, by creating chaos, left us with no alternative.

You look back to what had happened in Gujarat. Everybody knows what has happened in Gujarat, not now but in 1974. The students were encouraged to indulge in lawlessness and legislators, especially those belonging to the tribal sections and Scheduled Castes, were paraded in the streets and were insulted. Then this was carried on to Bihar also. I need not repeat all that had already been said on the floor of this House. My submission would be as stated by the Prime Minister, the opposition in this country must be able to think and act in a manner in which a responsible opposition in any democratic country would behave. It is not for me to teach you these things, nor am I pretending it. I am only stating the point that we all want the democratic institutions to thrive and democracy to function. All of us are wedded to democracy, secularism and socialism. Therefore, in approaching this matter, there is a way in which things can be done and ought to be done, in the interests of this young nation and in the interests of the democratic functioning of this country.

It is agreed on all hands that several gains have accrued to this nation on account of the declaration of emergency and the shock treatment that was given, practically in all fields, in the fields of students and workers and so on. I need not enumerate them. Many hon. Members have already enumerated them. Actually, the entire life of this country has undergone a sea change for the better. Therefore, it is up to us to see that this spirit survives, that the gains of this emergency that have come about are consolidated and, as Mr. Jaganatha Rao has said, that it becomes a way of life in this country. It is not a question of any party's benefit. I am not speaking as merely a Congress Party man.

**SHRI KRISHNA CHANDRA HALDER** (Ausgram): What are you then?

**SHRI K. BRAHMANANDA REDDY:** I am speaking as a democrat interested in you also. Therefore, if all of us think that these gains that have accrued....

**SHRI H. M. PATEL:** So, emergency becomes a way of life.

**SHRI K. BRAHMANANDA REDDY:** It is not that. On account of the emergency and the several steps that have been taken in pursuance of the emergency, on account of the shock treatment that was given certain results have flowed. I only want that those results which have come about and which are to the credit of the nation must be consolidated to the benefit of the nation.

As has been said also by many friends, the greatest achievement is the containment of inflation. Certainly it is a thing which you or I or anybody can boast of, and this should also endure. It may be that a country like ours, whose economy is dependent on seasonal changes, may at certain times be put to certain economic difficulties. Even so, if we take proper steps, if we create the necessary climate, it

[Shri K. Brahma nanda Reddy]

should be possible for us, for all of us, to meet a situation of that kind and see that the situation which had come about in 1974 and early 1975 does not recur.

The most important thing which all of us should remember is that the diffidence which was prevalent in the entire society in 1974 and early 1975 has yielded place to one of confidence. In my personal opinion, that is the greatest asset. A nation which has diffidence, which feels that there is no hope for the future, or which feels diffident about taking any step forward, has no right to survive. This emergency has created discipline in this country which gives the people in this country that enormous amount of confidence which is necessary for building up this nation, and this is a thing again which should endure to your and to my benefit.

I need not tell you that law and order or internal security, with which my Ministry is vitally concerned, is a pre-requisite for any economic growth. This internal strength, this internal unity, also increases our defence capability. This is also known. It also heightens our international prestige. Therefore, the essential point is that if there is unity, if there is law and order, if there is internal security in this country, and if we have internal strength, that will contribute not only to economic growth, not only to our defence capability, but also heighten our international prestige.

This is a vital matter on which all of us, irrespective of whether we belong to different political persuasions, have to exercise a great thought and see that these gains are consolidated for the benefit of the future generations of this country. It is true that now and then, we hear some adverse criticism in the Western Press. I am sure in the long run with more objective and realistic assessment of the situation in India, that will also yield place to praise or adulation for this country and particularly Prime Minister.

As I had said just now, I do not want to complain about what Mr. Patel has said. But I do want to say one thing about the 20-point economic programme, which has been put forward amongst the parties. It was something which was to be approached in the spirit in which it was made, and on which co-operation had to be given by all sections of the society, by all political parties, but are you not aware that in some sections of the Opposition Parties, there is a reluctance to give the credit that is due to the Prime Minister? Therefore, my submission would be that on this programme—which has been universally accepted, and even the worst critics like my friends in the CPM... (interruptions) would like to concede its validity and the usefulness, particularly to the weaker sections in our society—on a programme of this type, which has to be approached by the entire nation in a spirit of co-operation, there need not be and there should not be any reservation on behalf of any particular political party or parties or groups.

Therefore, it is upto us and I feel inclined to tell the Prime Minister that here an occasion has arisen where she will have to announce a programme which is related to national integration, where no section of the society can have differences—I mean to say, for instance, communal amity, and regional harmony, and seeing that there are no acts of high handedness or atrocities against Harijans or other minority communities, etc. These are the points on which there can be no difference of opinion and there are no differences as such. And therefore, it is a point which has been taken note of by the Prime Minister to see that we also highlight this important aspect of our community life, namely, national integration.

(Interruptions)

SHRI SOMNATH CHATTERJEE (Burdwan): Here is victim of the 20-point.

SHRI DINEN BHATTACHARYYA : That is why he is asking for another one.

**SHRI K. BRAHMANANDA REDDY:** Mr. Shastri may be a victim of DIR or MISA, I do not know. But he is not victim of the 20-point programme.

(Interruptions)

**SHRI RAMAVATAR SHASTRI (Patna):** I wholeheartedly supported that programme and therefore I was arrested.

**SHRI H. M. PATEL:** You said, "There ought to be no difference of opinion in regard to 20-point programme, I think the Opposition has not questioned the value of the 20-point programme; it has merely said, "Was it necessary to have any emergency in order to have such a programme?" That is the point.

**SHRI K. BRAHMANANDA REDDY:** To successfully implement it, to effectively reach the benefits of this programme to the weaker sections of society, to create a proper climate, it may be necessary. Certainly, the proof of the pudding is in the eating. We have seen how the declaration of Emergency has acted in promoting the implementation of this programme and how it has created a sense of awareness in the entire society and in the administration.

**SHRI SOMNATH CHATTERJEE:** The Emergency is to justify the programme or the programme is to justify the Emergency. (Interruption)

**SHRI K. BRAHMANANDA REDDY:** It is not only necessary that we add to the economic strength of the country but we have also to see that, in addition to the economic strength, we have the political stability which can come about better from national integration. All sections in the society should be so integrated, all regions in the country should be so integrated, that it helps not only the political stability but also economic growth of the country.

I also wish to submit before the House that the year 1975, so far as the Home Ministry is concerned, was

a year of consolidation. I want to recall to your memory the accord reached between the Prime Minister, the Government of India, and Mr. Sheikh Abdullah on the other. As you know, subsequent to this agreement, Jammu and Kashmir is better united and it is moving in the direction of a faster economic growth. It is adding not only to the integration but also to the strength of the entire country. You also know that there are committees to look into any misunderstandings that may arise between the groups of people, between the parties. There is also a coordination committee set up under the Chairmanship of my colleague, Shri Om Metha, with several other Ministers here to look into the affairs of Kashmir, particularly, economic matters of Kashmir and forge them ahead. It is paying us a good dividend.

You also know that on 11th November, 1975 the two-decade old Naga problem has come in for a settlement. All of us must be happy that this two-decade of insurgency in that part of the country which has not only caused a great loss to the people of Nagaland but also to the entire country has come to an end. I wish to tell the House that the insurgency situation in north-eastern part of our country may well be a thing of the past. You may be aware that discussions are going on with regard to Mizoram as well. I have reason to believe that the discussions are proceeding satisfactorily. Therefore, if you look at the entire situation in the north-east, you will see very hopeful signs of complete peace and tranquillity prevailing in that part of the country and the people in that area, including Nagaland and Mizoram are entering the main stream of our national life.

Now, of course, it has been suggested by some friends here and outside that people from the valley of Kashmir and also friends from Nagaland—particularly young friends from Nagaland—and Mizoram should be able to come over and visit us in the rest of India to see how India is progressing, because it is just possible that

[Shri K. Brahmananda Reddy]

they have got distorted notions about the rest of India. Therefore, it is up to us to see that there is a two-way traffic; not only should people go to Kashmir, but people from Kashmir should also be brought here, particularly young people, to see how things are happening and how India is marching forward and how India is developing, so that they can draw good lessons from this experience. So, this is also being attempted.

Now, Sikkim has been discussed here before. I am happy that I have been able to go there and see the people in their own place. They are also trying to move forward and see that they improve and that they cover up decades of neglect that occurred in that part of the society. I have been able to see their enthusiasm; I have been able to see their eagerness to develop fast. The Government of India has been able to give them the necessary financial allocations so that they can, with dedication and some discipline, move forward and improve that area as well.

Now my friend Mr. Mavalankar and another friend Shri Mohapatra, think, have been speaking about the Andaman and Nicobar Islands. I know the difficulties they have experienced there, and we have been making efforts to improve the position there. In a larger perspective, in the next 15 to 20 years, we have a plan, in the entire structure, to make it one of the best areas of the country; but this is a perspective plan just now. Even so, several steps that are necessary are being taken to further improve the position there. Now, this Ministry is a sensitive one.

**SHRI KRISHNA CHANDRA HALDER:** Here, the Home Ministry is coming.

**SHRI K. BRAHMANANDA REDDY:** I thank you; but that does not help me very much.

In any case, this is a sensitive Ministry and naturally so, its fundamental duty being, according to Mr. Patel, keeping law and order. We certainly accept that position, but we are also concerned with many other matters of great consequence. However, I may tell him, for his information, that the crime incidence in India in the year 1973 was much less than what it was in 1974.

**SHRI DINEN BHATTACHARYYA:** At that time, you were the Home Minister.

**SHRI K. BRAHMANANDA REDDY:** Thank you, but I am not trying to take credit for that. I am only trying to say that the tendency is towards improvement, and there has been improvement. Particularly, if you take Delhi, there is 25 per cent less crime in 1975 and if you take Bombay, Madras and some other important States of our country, you will see the decline in crime. This is a good trend and it should be your effort and mine to see that this trend continues and the crime rate goes down further in the years to come. Therefore, this is an indication that no agitations and things like that should be encouraged by our friends.

I may also say in this connection that the dacoity menace is tried to be fought with all vigour by the co-ordinated efforts of not only Delhi but Rajasthan and UP also. A co-ordinated effort is being arranged and in fact, it has paid us dividends. There was a meeting in the Ministry. There was a meeting with the Home Secretaries, the respective IGPs, Chief Secretaries, etc. and a plan of action has been thought out. In these two-three months of 1976....

**SHRI DINEN BHATTACHARYYA:** What about the trend of dacoities in Delhi? It is increasing.

**SHRI K. BRAHMANANDA REDDY:** As many as 117 dacoits had been killed in encounter and several...



SHRI H. M. PATEL: If I may say, my emphasis was not on the fact that nothing was happening. My emphasis was on this fact that in certain areas the work was being done in such a way that you were not being able to control crimes as they should be controlled. For instance, I said, there is a great deal of concealment of crime.

There are many other matters to which I referred and in the spirit in which I referred to them, I would request you to consider them seriously. If you say that there are fewer dacoities and you have been controlling them, etc., well that is admirable and all to the good. I had also referred to the various kinds of syndicates of crime. I had said that these exist that they were gaining strength and I urged you to make every effort to control them.

SHRI K. BRAHMANANDA REDDY: As you have mentioned the point, is it not my duty to tell you and the House that base steps are being taken against the dacoity menace, that these steps are being taken against the goonda menace, that these steps are being taken against criminal activities in several States? I am not trying to criticise you. I am only trying to say that in the last year a special effort has been made to meet this dacoity menace, that a co-ordinated effort has been drawn up and, in pursuance of that, I saw in the last three months alone, it has paid up good dividends. It has yielded results. So many dacoits have died in encounters with police and so many have been apprehended. You have been seeing not only in today's papers or yesterday's papers but earlier also reports of the killing of dacoits by the police in encounters. It is a good thing and we should give all encouragement to the three States concerned, namely, Rajasthan, Delhi and UP to further take more effective steps in this direction.

One other point has also been made. You know we have been trying not

only now but for the last several years to improve the quality of the functioning of the Police in the entire country. You may remember the several steps that have been taken prior to 1970 to make a change in their attitudes and to bring about a change in their attitudes, especially when they deal with the weaker sections of the society. In this effort, a good deal of effort has gone into it and I am hoping that in the next few years, our Police force which was considered rather unfortunately sometimes as a repressive force, will be considered to be a people's protection force.

Many changes have been made in their training, in their curriculum, in their habits and many punitive measures have been taken against the erring people. You must have seen in the newspaper about the lengthy letter that I have written to the Chief Ministers about the third degree method about punitive action to be taken against the police officers who indulge in unnecessary violence against the people in this country.

SHRI DINEN BHATTACHARYYA: In the thana, people have been killed after you wrote a letter.

SHRI K. BRAHMANANDA REDDY: Mr. Bhattacharyya, I would request you to develop a sense of proportion in this matter.

We should all try to see that the quality of the police force in the entire country improves. We are taking steps in this direction, active steps in that direction and steps have been thought out and considered well and I hope, as I said just now, it will be a much better force.

A mention has been made that in 1950-51 the amount of expenditure of Home Ministry on police was Rs. 3 crores or 4 crores but now it has come to Rs. 150 or Rs. 160 crores. I need not go elaborately into this matter but you must be able to remember several

[Shri K. Brahma Nanda Reddy]

things that have been done during the courses of 20 or 25 years which have led to this increase which was very necessary. For instance, there was only one C.R.P. Battalion in the year 1950-51. Now we have 60 battalions of the C.R.P.F. There was no BSF in 1950-51. BSF has come into being only in 1965 and it is doing great service and valuable work. The budget of Assam Rifles has come to be calculated under the Head of the Home Ministry. Now, there is an Indo-Tibet Border Police. The strength has increased so much and the pay scales have increased so much in these 25 years. The hon. members will be able to see why this increase has come about. It is because of the increase in strength of the C.R.P.F., BSF, Indo-Tibetan Police, Assam Rifles and the Central Industrial Security Forces. All these have been created by this very House.

We push in a lot of money to the States to give them assistance for modernisation of the police force. In fact, we have given them substantial assistance for police housing, especially for the police constable and Head Constables, etc. From the Centre we have been able to push in about Rs. 60 crores and in addition the States have spent about Rs. 40 crores. Rs. 100 crores have been spent but that is not enough. Much more has to be done. It has been my effort to plead with the authorities concerned and particularly with the Prime Minister that the allocation under 'Police Housing' not only in our Budget should increase but also help should come from various other sources so that the housing of the police Constables can increase at a rapid pace.

If you have a picture in the entire country, in a State like Maharashtra about 67 or 68 per cent of police people have housing. If you go to Andhra Pradesh or Orissa, hardly 11 to 12 per cent of police people have housing and, therefore, it is creating problems in the sense, even if you

want to meet a situation, even if you want to gather these people at a moment's notice, it is becoming increasingly difficult;—not only that they live in all kinds of slums exposed to an unhealthy condition but are also exposed to all types of people which is unhealthy. Therefore, we are doing our best to help the State Governments in seeing to it that they provide better housing facilities for the police people. We have been helping the State Governments to modernise their police force with equipments and in several other ways. We are thus trying to improve the quality of the police force as a whole, as I have already submitted.

There is one other important thing which I wish to bring to the attention of the House. We are creating a Coast Guards Organisation under the aegis of the Ministry of Home Affairs. This matter regarding safeguarding the security and our interest in our off-shore areas has been thoroughly examined. And this question of setting up of a Coast Guards Organisation under the aegis of the Ministry of Home Affairs to police our territorial waters etc. is under active consideration.

SHRI B V NAIK (Kanara): I am happy about it. I represent a coast.

SHRI K BRAHMANANDA REDDY: I am glad that Mr B V Naik is happy; I am sure he represents the entire House.

Whenever Home Ministry's Demands are discussed, one important aspect coming under the administration of the Home Ministry is the welfare of the Scheduled Castes and the Scheduled Tribes. This is a very important segment of our society. We can neglect their interest only at our peril. The well-being of the entire society depends upon our efforts in regard to this segment of our society. I do not want to go into the details. I wish to tell you this much that in the Fifth Plan the allocation is about



Rs. 255 crores for this sector. There are several schemes contemplated for their benefit.

**SHRI R. S. PANDEY:** The hon. Prime Minister herself has written to all the Chief Ministers. You are doing very well and I am glad you are allocating Rs. 255 crores or so. But the basic requirement is protection. And so far as Andhra Pradesh is concerned, this State has been the worst victim regarding protection of Harijans. I am not talking on the situation after emergency, but even before that.

**SHRI K. BRAHMANANDA REDDY:** I do not want to speak much because it is Andhra Pradesh and because it is within my intimate knowledge. There may be isolated incidents happening here and there. But you will see that a lot of improvement has gone into the welfare of these sections of our society. I may also tell Mr. Pandey that during my Chief Ministership I had built about 10,000 pucca houses for these scheduled caste people, and this is being continued.

**SHRI BHOGENDRA JHA** (Jainagar): Are we discussing your Chief Ministership?

**SHRI K. BRAHMANANDA REDDY:** I am not discussing just now either my Chief Ministership or Mr. Bhogendra Jha's remarks.

The point is this. A point was made about what was happening to the Harijans in Andhra Pradesh. I have been trying to tell him that sufficient care is being taken regarding the welfare of scheduled castes probably much more than in areas from which Shri Bhogendra Jha comes.

With regard to that, this House has been debating the Untouchability Offences Bill which is before them. And it is up to this House to pass that Bill as early as you may think fit. If and when it is passed, that will give more opportunities for dealing with the offences relating to untouch-

ability. This stigma of untouchability on the society must be effected.

**SHRI K. S. CHAVDA** (Patan): Don't pay lip sympathy. This was discussed in the House in March 1975. It is still lying and it is for you to move the Bill before this House and pass it. You know the Opposition walked out because the House wanted to pass it without a discussion. And you had instructed your Members not to speak.

**SHRI K. BRAHMANANDA REDDY:** Therefore, when this is passed, more effective steps could be taken to remove this evil.

**SHRI BHOGENDRA JHA:** The point that we raised was whether the powers of emergency under the MISA or DIR had been used against those who were torturing the Harijans in other parts of the country and whether such action had been taken against the usurers and also against those violating the Land Ceilings Act etc. I would like the Minister to enlighten us on whether those powers have been used in this regard.

**SHRI K. BRAHMANANDA REDDY:** Now you are talking about the use of MISA. I shall come to that. I do not want to raise it just now because it is a subject which has been discussed not once but twice, thrice, four times or even five times. (Interruptions) Mr. Speaker, Sir, just as the scheduled castes and other backward classes are a big segment of our population, so also are our tribals who number about four crores—forty million people—living in this country in all kinds of places—some of them in plains while some others in the hills—and, therefore, their condition has also to be improved. You may be aware that, at the instance of the Prime Minister, the allocation from the central sector has been increased to Rs. 200 crores as a supplemental effort to the efforts that State Governments are making. For 1976-77, I have got information from nine States which

(Shri K. Brahmamanda Reddy)

shows that they have included in their Plan for 1976-77 alone, about Rs. 155 or 165 crores in addition to Rs. 40 crores of supplemental assistance that we are pushing in from the Central Government. This is in addition to some centrally sponsored schemes and also in addition to some other schemes which are being implemented by the Departments, like Irrigation, Agriculture etc. Therefore, these should be able to enable those areas to improve. One question that often arises from some of our tribal Members is this. They suggested that if we push in too much of money into the area it is very likely that all parasites may go there and go on sponging all this money that is thrown into that area. It is true.

Therefore, it becomes necessary for all of us and particularly the Government to see that this money is channeled in a proper manner and institutional arrangements are made in that area and the credit and marketing organisations are built up. To sum up, the whole effort is that the exploitation that is going on in the tribal areas has to be reduced, if not completely eliminated. In course of time—may be five or ten years—we should be able to give them so much assistance that they lift themselves up educationally, socially and otherwise. This is a huge effort. In fact, we have been trying to impress upon all the Chief Ministers at separate meetings as well as at collective gatherings that the administrative personnel that are posted in that area should be one of the best in that Service. Unless people of that quality and those who have sympathy towards the tribals are posted in those areas a quick development may not take place.

Sir, it is very necessary, when bonded labour has been abolished and indebtedness has been wiped out, especially with regard to smaller people, the credit and marketing...

SHRI BHOGENDRA JHA: Legally it has been done but it is for the Home Minister to enforce it.

SHRI K. BRAHMAMANDA REDDY: Now, we must help in that process and not try to find fault and catch hold of some mistakes and condemn the whole thing. You and I are interested in seeing to it that the bonded labour goes and indebtedness of poor people is wiped out. If there are instances where it has been implemented certainly we should look into the matter and take steps. There is no use of merely complaining.

It is our effort to see that credit and marketing organisation takes place there. If you leave it in a void or without effort being made naturally they will become victims of money-lenders which all of us want to avoid.

Sir, many Members have been making suggestions regarding the revision of list of scheduled castes and scheduled tribes. There is general unanimity that the present area restrictions, as a result of which a community is scheduled only in one part of the State and not another, should be removed. Such area restrictions cause hardship to the left-out members of the community and there are administrative difficulties. There have been many representations that these area restrictions should be done away with quickly and the Government is of the view that early steps should be taken to remedy the situation. This particular aspect is of such urgency that we feel, legislation should be enacted to remove these area restrictions. Government are considering introducing suitable legislation for this purpose shortly. So as to mitigate the difficulties experienced by a large number of people who are today deprived of the facilities admissible to the Scheduled Castes and Scheduled Tribes. Therefore, this step also is being taken. This has been voiced by many friends here.

Now, as you may remember—I need not give statistics....

19.06.77

**SHRI K. S. CHAVDA:** When are you going to introduce that Bill? It lapsed in 1970. That is the main point.

**SHRI K. BRAHMANANDA REDDY:** What I was trying to submit, which you have not heard, is that that Bill which has lapsed in 1970 is split into two parts, one the Area Restriction Removal Amendment Bill and the other inclusion of certain tribes in Scheduled Tribes which may come later. That was what I was trying to submit, because it is not a matter that easy. There is scope for some dissent, there is scope for some controversy. Therefore, we want to help at least a section of these people who are groaning under difficulties. It will be over effort to see that if this area restriction is removed, a restriction where in a certain part of a State, they are called a Tribe and in certain other parts they are not called a Tribe, if this restriction is removed, it will greatly help at least a good number of these tribal people.

Now one other thing which has been mentioned is about some friends here—Shri Pandey was saying it and another friend was also mentioning it—that a function should be arranged where tamrapatras should be given to those MPs....

**SHRI R. S. PANDEY:** All the Members of Parliament who had been jailed—and a cup of tea at your house.

**SHRI K. BRAHMANANDA REDDY:** Tamrapatras to those MPs who are freedom fighters, who have not received tamrapatras. Out of the 73 MPs whose names have been mentioned to us in this connection, particulars are available in respect of 59 only.

**SHRI S. A. SHAMIM (Srinagar):** Including Shri Pandey.

**SHRI K. BRAHMANANDA REDDY:** Shri Mohan is in touch with the members.

**SHRI R. S. PANDEY:** Another condition was that the function would be held at your house—and a cup of tea.

**SHRI K. BRAHMANANDA REDDY:** The function will be held. I do not want to mention the place. But I can tell you this, that the function will be held during this session.

**SHRI R. S. PANDEY:** Very good.

**SHRI BHOGENDRA JHA:** Who has given you the names? I have not mentioned by name to anyone in this connection. I do not know where from you got the facts.

**SHRI S. A. SHAMIM:** For the last 8 months I am also a freedom fighter.

**SHRI K. BRAHMANANDA REDDY:** One other matter which I wish to mention is with regard to taking effective steps...

**SHRI BHOGENDRA JHA:** In this connection, a request was made whether you could grant pension to those freedom fighters also—I am not talking of MPs—who had been to jail for five months, four months and three months. Are you going to reconsider this condition of six months? It is only a small gap.

**SHRI K. BRAHMANANDA REDDY:** If you open that gate, it will be a floodgate.

With regard to the welfare of Scheduled Castes, you know that in several States at the intervention of the Prime Minister, Chief Ministers have created cells in their own departments to deal quickly and effectively with complaints and grievances of Scheduled Castes.

**SHRI P. G. MAVALANKAR (Ahmedabad):** How active are they?

**SHRI K. BRAHMANANDA REDDY:** Very active. I may say that 11,238 cases were registered during 1974 and prosecution was launched in more than 70 per cent of those cases.

Therefore, I am only trying to say that if these Scheduled Castes, helpless people, who are in villages are subjected to these atrocities and high handedness at the hands of others, it is the desire of this Government that succour should be given to them at the earliest possible moment. An officer of some standing should go and investigate the matter and book the real culprits. At the same time, I must sound a note of caution and mention here, namely, that in some places where there are factions in villages where these Harijans are being exploited to support one party of the other to give it a colour as atrocities on Harijans it should be guarded against.

Our idea is to bring harmony in the villages, bring understanding among the people and see that the communities come closer. It is not our effort to develop confrontation between one community and another. This should also be borne in mind and the poor people, helpless people should be helped and they should be saved from the atrocities that the other communities commit against them. To that extent it is all right. But if they become parties to any factional fight; in the village and try to give it the colour of atrocities on Harijans, it would do no good. As I said it is our desire that we should avoid confrontation; we should help create understanding between the different communities in the villages and other places.

Shri Bhogendra Jha and some other friends referred to the alleged misuse of DIR. As I have said in this House as well as in the Rajya Sabha, when extra-ordinary powers under an extra-ordinary situation are given to the executive....

**AN HON. MEMBER:** They are extraordinary people.

**SHRI K. BRAHMANANDA REDDY:** ...naturally, you and I can visualise the possibility of some misuse. Therefore, the Prime Minister has as early as 3rd July 1975, within a week of the promulgation of the emergency, wrote personally to the Chief Ministers requesting them to look personally into cases where complaints of misuse have come and also to set up a machinery for this purpose consisting of some ministers, officers, etc., This was followed up by my discussion with the Chief Ministers and the Home Secretary has written to them elaborately what is to be done and how it is to be done so that we do not give room for any complaint of this type. Therefore, I submit to you that from the highest to the lowest, all necessary steps that can be taken in this regard are being taken. You could be rest assured that representations that have been made by hon. Members of Parliament have been looked into. Many of them were kind enough to see me and give representations; they had been examined in consultation with the state governments.

**SHRI BHOGENDRA JHA:** Some MPs have been arrested.

**SHRI K. BRAHMANANDA REDDY:** Therefore, if Mr. Bhogendra Jha or other hon. Members go away with the impression that alleged misuse is not being looked into either by the state government or the central government, it would be a wrong impression. I do not rule out something happening somewhere but we are doing all that is necessary to control this and to take effective steps not only against possible misuse but also see if we can take action against the person who is responsible for the misuse and gives a bad name to the government.

I have no time to go into some other matters; for instance many friends complained about conditions in jails.

I may admit that the situation in jails is not that happy; the administration of jails has got to be improved. It is also true that because of the heavy pressure on the political situation, overcrowding in jails has led to some undesirable results. We have been trying to impress upon state governments to take necessary steps so that not only more accommodation is available but also administration inside jails is improved. Jails is a state subject. In the Home Ministry we consult the state governments and we act as a co-ordinating authority.

**SHRI S. A. SHAMIM:** You are only supplying prisoners.

**SHRI K. BRAHMANANDA REDDY:** I do not know if my friend knows or not. Amongst those people who might have been detained under MISA very few have been detained by the Central Government.

**SHRI S. A. SHAMIM:** But it is a Central Act.

**SHRI K. BRAHMANANDA REDDY:** Including your leader Sheikh Abdulla, Sahib it is they who are responsible for several detentions and several actions taken under D.S.I.R. Now, I may tell you that the conditions in jails are governed by the rules that have been framed by the respective State government. Of course all those rules are not uniform in all cases. But the conditions in jail regarding food, regarding clothing, etc. are being taken care of. Whenever anything comes to our notice regarding the health of the prisoner, a very energetic and very effective steps are taken to consult immediately the State Government and see that necessary assistance is rendered to the suffering patient inside the jail. Therefore, I would only like to point out ...

**SHRI P. G. MAVALANKAR:** The point is that it is not the question of better accommodation but of human treatment and action against any

cruelty especially to the political detainees and Satyagrahis. There have been cases of individual detenus whose ailment could have been detected earlier. Some of them have come to a bad shape because they have not been given prompt treatment. We do not want just the amenities. We want humanity.

**SHRI THA KIRUTTINAN (Sivaganja):** The same thing has happened in Madurai. In Madurai Jail, one Mr. Bala krishnan was ailing. But he was not sent to the hospital. At the last moment he was sent to the hospital, but he died.

**SHRI K. BRAHMANANDA REDDY:** Not only there should be more accommodation and there should be better treatment, but there is humane treatment also. I do not like that that should be carried away by any story or atrocities or high-handedness in jail. I may tell for your consideration that all necessary care, that is possible, is being taken to see.

**SHRI DINEN BHATTACHARYYA:** By you or the State Governments?

**SHRI K. BRAHMANANDA REDDY:** By us as well as the State Governments.

**SHRI DINEN BHATTACHARYYA:** When the matter was presented to you you said that it was a State matter and here you say that you are taking care of the prisoners.

**SHRI K. BRAHMANANDA REDDY:** Though we say that it is a State matter, because under the Constitution it is a State matter, we also take note of what you say and we consult the State Government and also try to know what is being done there.

**SHRI THA KIRUTTINAN:** Whether any instruction has been issued to the State Governments to treat them well. (Interruptions)

**SHRI K. BRAHMANANDA REDDY:** No instructions are necessary and especially the prisoners of the political



[Shri K. Brahmananda Reddy]

type are treated with great courtesy, that goes without saying, and I do not want that anyone of you should go away with any impression that any political prisoners or any detainee...

SHRI DINEN BHATTACHARYYA:

The unfortunate thing is that the State Government has not recognised anybody as a political prisoner.

(Interruptions)

SHRI K. BRAHMANANDA REDDY:

I would only advise my friend there or my friend here, if they have got anything specific to say kindly tell me. I am at your service. Now, you also know that the Home Ministry has been trying to impress upon the State Governments to establish Grievance Committees so that people will have an opportunity to make complaints, not only People that are high in the society like MLAs, MPs, etc. but even others. They are given opportunity to make complaints and to the extent possible we try to correct them if any thing bad is coming into the Administration.

SHRI TMA KIRUTTINAN:

Even after 40 days the wives and relatives were not allowed to see ex-MLAs in Tamil Nadu. (Interruptions)

SHRI K. BRAHMANANDA REDDY:

Instead of trying to raise it here four or five times for publicity's sake, you could have come to me and I would have certainly looked into it. I do not want to contribute to what you are saying. (Interruptions) In the end, I wish to repeat again and submit that on behalf of my colleagues and on behalf of all the functionaries in the Ministry, I thank you all for the very hearty support that you have given to these Demands. It shall be our effort, I promise, to come to you with a better performance in 1976-77.

SHRI SHANKERRAO SAVANT

(Kolaba): What about border disputes?

SHRI K. BRAHMANANDA REDDY:

The Maharashtra border issue is under very active consideration and we are in touch with the Chief Ministers concerned. I hope, a solution could be found with your assistance, with the cooperation of state Governments and with the cooperation of the people of those areas, as early as possible. (Interruptions).

MR. DEPUTY-SPEAKER: Let us conduct things in a dignified way, a meaningful way. We have taken a long time. Even so, when hon. Members are willing to eager to elicit some more information, I would allow not all, but a limited number to put a question each and the Minister may kindly note and reply. There should not be intervention simultaneously by too many Members. Let us do it in a meaningful manner.

SHRI H. M. PATEL: I referred to the question of Delhi Advocates and the manner in which their cabins were demolished and bulldozed. Since then, 20 odd advocates have been arrested under MISA and some 30 others have been arrested under DIR and other provisions. I would like to know as to what the facts are?

SHRI B. V. NAIK: Mr Deputy Speaker, Sir, I have brought to the notice of the Ministry of Home Affairs, at the appropriate level, the case of a person who was held—whose name need not be reproduced here—under MISA. The Central Government had ordered his release on the 8th of March; but upto the 28th of March he had not been released.

(Interruptions)

MR. DEPUTY SPEAKER: How can he answer all this?

SHRIMATI ROZA DESHPANDE (Bombay Central): Yesterday I had asked a question as to why an organization like the Shiv Sena, indulging in all kinds of anti-national activities.

**MR. DEPUTY SPEAKER:** We know what Shiv Sena is. What do you want to do with Shiv Sena?

**SHRIMATY ROZA DESHPANDE:** Why has it not been banned, when it was supporting the J. P. movement?

**MR. DEPUTY SPEAKER:** That is enough.

**SHRI P. M. MEHTA (Bhavnagar):** I heard the Home Minister very attentively. The question is about the area restriction. There is a peculiar situation in Saurashtra, especially in my district. A tribe by name Bhil is not recognized in my district, whereas it is recognized in the other districts.

**MR. DEPUTY SPEAKER:** He has replied to that question; he has already dealt with that in his speech.

**SHRI P. M. MEHTA:** Therefore, when this bill is introduced, proper notice should be taken of such things also.

**SHRI BHOGENDRA JHA:** I would not like to raise a new point. I had stated these things yesterday; but it has been misde. I am not repeating. With regard to the Muslim minority, I had stated....

**MR. DEPUTY SPEAKER:** No statement; the question.

**SHRI BHOGENDRA JHA:** The question is whether it is a fact that more than two-thirds of the compulsorily retired employees in Andhra Pradesh itself are Muslims; and whether the Boudkela office of the Marcus Saria, the high court for the personal law of the Muslims has been sealed and the office-bearers arrested. And secondly in regard to the lawyers....

**MR. DEPUTY SPEAKER:** He has put that question. You are making a speech.

**SHRI BHOGENDRA JHA:** Is it a fact that the Delhi Bar Association has passed a resolution that it should negotiate? Is the Government going to negotiate with them, or not?

**SHRI N. K. SANGHI (Jalore):** I would like to draw the attention of the Home Minister. (Interruptions)

**MR. DEPUTY SPEAKER:** Order please; I am not able to hear Mr. Sanghi.

**SHRI N. K. SANGHI:** A part of the cellular jail in Port Blair is today being used as an ordinary jail. Since it has housed so many of our freedom fighters, we have a high feeling for this particular jail. May I ask the Home Minister whether he will remove the jail from the cellular jail and keep it only as a national monument?

**MR. DEPUTY SPEAKER:** That is enough.

**SHRI DINEN BHATTACHARYYA:** My question is very simple. The Minister himself had said that the conditions in the jails are the responsibility of the State Governments, but that if any representation is made by the Centre and the Home Minister, he will look into it. But already a presentation has been made regarding the treatment of the MISA prisoners in West Bengal and other States. No step has yet been taken. Has the Government got any scheme for making uniform rules for the treatment to be meted out to prisoners all over the country?

**SHRI C. K. CHANDRAPAN (Tellicherry):** Have the Government taken any steps against the Vijaya Bank authorities who were protecting the RSS elements by keeping them as their staff when they were arrested and detained? What action has the Government taken against them?

**SHRI K. BRAHMANANDA REDDY:** If Shri Bhattacharyya had made any representation, it is obvious that it is being looked into. But jails, as I submitted, is a State subject. So, there can be no question of uniformity.

**MR. DEPUTY-SPEAKER:** You are looking into that?

**SHRI K. BRAHMANANDA REDDY:** Which one? The representation that has been made? Regarding uniformity, I am not looking into it. It is a State subject. Therefore, the State Governments will have to look into it. What I submitted was that the representation alleged to have been made by Shri Dinan Bhattacharyya regarding some prisoners is being looked into.

With regard to the point raised by Shri B. V. Naik, the releases are made by the authorities that are responsible for the detention. The releases are not made by the Central Government, except in cases where they are detained by them. I do not know if in this particular case any advice has been given. That is a different matter altogether. But the point is that the release has got to be made by the detaining authority.

Regarding Shiv Sena, all of you are aware of the propensities of that organisation. But I can say that just now there is no proposal before the Government to ban Shiv Sena.

Regarding the Muslim minority, my hon. friend, Shri Sambhali, made a forceful speech yesterday. So far as this Ministry is concerned, as a result of the drive launched in 1973 the recruitment position to BSF and CRPF is like this. During the period 1973-75 the percentage of Muslims recruited to BSF was 32.1 and the number 395. So far as CRPF is concerned, out of a total recruitment of 498, the number of Muslims was 120, which comes to 24 per cent.

**MR. DEPUTY-SPEAKER:** I think Shri Jha wanted information about certain compulsory retirement.

**SHRI BHOGENDRA JHA:** I was referring to the *Imarate Sarai*, a court which was dealing with Muslim personal law in Bihar and Orissa.

**SHRI K. BRAHMANANDA REDDY:** It becomes difficult for me to answer individual cases.

**MR. DEPUTY-SPEAKER:** You can write to him.

**SHRI K. BRAHMANANDA REDDY:** I can tell you that the State Governments have been advised to set up review committees to look into the cases of premature retirement, on account of inefficiency, corruption etc.

Regarding the other point raised by Shri Jha, if a question is suddenly raised in the House, it is difficult to answer it.

**SHRI BHOGENDRA JHA:** I have mentioned it in my speech yesterday.

**SHRI K. BRAHMANANDA REDDY:** So far as Vijaya Bank is concerned, so far as I recollect, one man has been either suspended or dismissed.

Regarding Port Blair, I had been there. I have visited the two wings of the Port Blair jail. There were no prisoners. It was declared a monument. In any case, I shall look into the suggestion which he has made.

**MR. DEPUTY-SPEAKER:** Delhi advocates.

**SHRI K. BRAHMANANDA REDDY:** Shri H. M. Patel and some other Members referred to the demolition of the lawyers' cabins in the vicinity of the Tis Hazari Courts.

This area had virtually become a slum on account of haphazard unauthorised construction, encroachments etc. Repeated efforts were made to persuade the lawyers to move to other



nate sites where they could have put up suitable structures. On 6th March, 1976, the Deputy Commissioner called the President and Secretary of the Bar Association for a discussion and there was an agreement that the alternate sites on platforms parallel to Hamilton Road would be available for constructing lawyers' chambers. The Bar Association was requested to speed up the shifting and start construction. Apart from assuring that this would be done, there was hardly any positive response. Finally they assured that bricks and construction material would be brought to the site positively by 22nd March, 1976, but nothing happened. Ultimately the authorities had to remove the unauthorised structures. In most cases the lawyers themselves arranged to have the articles removed from these structures and nearly 50 per cent of the structures were demolished by the lawyers themselves with a view to taking out building materials.

The lawyers decided to boycott the courts from 29-3-1976 as a protest against the action taken on the previous day. They gathered in front of the court building and entered the Deputy Commissioner's office in a body and indulged in destruction of Government property. They thereafter went to the ADM (Headquarter's) room and destroyed Government property in the ADM's chamber including furniture, office records and files. As a consequence of this unlawful action, two cases have been registered against

them. Fortythree lawyers were arrested on 29-3-1976.

It is understood that the representatives of the Bar Association met the Lt. Governor yesterday and have agreed to request the lawyers to shift to new temporary sites to be allotted by the Administration. The cases of the arrested lawyers are also being reviewed.

MR DEPUTY-SPEAKER. There are a number of cut motions moved by hon. Members. Unless any particular Member wants a particular cut motion to be put separately, I will put them all together to the House.

I put the cut motions to the House.

All the cut motions were put and  
Negatived

MR. DEPUTY-SPEAKER The question is:

'That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1977, in respect of the heads of demands entered in the second column thereof against Demands Nos. 49 to 59 relating to the Ministry of Home Affairs'

The motion was adopted

[The Demands for Grants, 1976-77, in respect of the Ministry of Home Affairs, which were voted by Lok-Sabha, are shown below.—Ed.]

No. of Demand	Name of Demand	Amount of Demand for Grant on account voted by the House on 23-3-1976		Amount of Demand for Grant voted by the House	
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
49. Ministry of Home Affairs		36,10,000	..	1,80,53,000	..
50. Cabinet		21,07,000	..	1,05,35,000	

1	2	3	4
52. Department of Personnel and Administrative Reforms . . . . .	1,23,35,000	25,000	5,16,72,000 1,25,000
53. Police . . . . .	31,46,80,000	90,00,000	157,34,03,000 2,50,00,000
53. Census . . . . .	61,44,000	..	3,07,18,000 ..
54. Other Expenditure of the Ministry of Home Affairs . . . . .	22,75,29,000	6,21,87,000	1,33,76,43,000 31,09,36,000
55. Delhi . . . . .	18,70,87,000	8,35,05,000	93,54,37,000 41,65,24,000
56. Chandigarh . . . . .	2,68,91,000	1,01,89,000	13,44,54,000 5,09,48,000
57. Andaman and Nicobar Islands . . . . .	3,13,02,000	1,61,72,000	17,05,00,000 1,00,00,000
58. Dadra and Nagar Haveli . . . . .	31,44,000	22,61,000	1,57,22,000 1,13,04,000
59. Lakshadweep . . . . .	53,13,000	18,05,000	2,65,68,000 90,25,000

#### MINISTRY OF SHIPPING AND TRANSPORT

MR. DEPUTY-SPEAKER We take up discussion and voting on the Demands for Grants relating to the Ministry of Shipping and Transport, for which four hours have been allotted

Members present in the House who desire to move their cut motions may send slips to the Table within 15 minutes indicating the serial numbers of the cut motions that they would like to move.

Motion moved:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth Column of the Order Paper be granted to the President to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1977, in respect of the heads of demands entered in the second column thereof against Demands Nos 79 to 82 relating to the Ministry of Shipping and Transport "

*Demands for Grants, 1976-77 in respect of the Ministry of Shipping and Transport.*

No. of Demand	Name of Demand	Amount of Demand for Grant on account voted by the House on 23-3-1976		Amount of Demand for Grant submitted to the vote of the House	
1	2	3	4	5	6
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
79. Ministry of Shipping and Transport		40,99,000	..	2,04,93,000	..
80. Roads . . . . .		13,44,42,000	13,80,14,000	67,22,12,000	69,00,68,000
81. Ports, Light houses and Shipping . . . . .		4,15,13,000	34,52,07,000	20,75,07,000	172,80,70,000
82. Road and Inland Water Transport		17,91,000	2,80,90,000	89,53,000	10,14,52,000

की जोखिम बर्तन (बैरकपुर)।  
उपरोक्त बर्तन, ट्रांसपोर्ट और शिपिंग  
मिनिस्ट्री की प्वांटे के ऊपर कई समस्याएँ  
प्राप्त की सामने रखना चाहता हूँ। पहली बात  
यह है कि कलकत्ते का जो पोर्ट है वह ओल्डस्ट  
पोर्ट है। उस पोर्ट की हालत बहुत खराब  
हो चुकी है। रेत भरने भरते उसकी हालत ऐसी  
हो गई है कि वहाँ का पोर्ट खत्म होने जा  
रहा है। शिपिंग मिनिस्ट्री इस पोर्ट को नेक्स्ट  
किए हुए है। मबर्नमेट परपञ्चली में देख रहा  
हूँ कलकत्ते के पोर्ट को खत्म करने की पालिसी  
एडाप्ट किए हुए है। सैकड़ों करोड़ रुपया  
खर्च किया गया फरक्का के लिए, यह बता कर  
कि कंकाल। पंटे में उससे काफी पानी आया  
जिससे जहाज घासनी से बहा तक आ सकें।  
लेकिन आज तक फरक्का का कोई मसला हम  
हल नहीं कर पाए। वहाँ सिस्टेज जमा होता है  
उसकी निकालने का भी कोई काम इनजाप  
सीरियसली नहीं हुआ जिसका नतीजा यह हुआ  
कि कलकत्ते का पोर्ट आज खत्म होने जा रहा  
है। यह क्यों हो रहा है? मैं मंत्री महोदय  
से इसका जवाब चाहता हूँ कि इसको वब  
नेक्स्ट किया जा रहा है?

इसी तरह शिप बिल्डिंग के बारे में भी  
हो रहा है। हमारे देश में बाइजय में शिप  
बिल्डिंग का कारखाना है। उस कारखाने को  
हम लॉन्ग नेक्स्ट किए हुए हैं। मैं एक दफा  
वहाँ बिजिट करने गया था। वहाँ यही कम्प्लेट  
थी कि हमारे पास आर्डर नहीं है। हमको  
आर्डर नहीं मिलते हैं। इसलिए यहाँ पर  
कम धावनी है और बहुत बड़ा शिप बिल्डिंग  
यार्ड बना हुआ है। उसके मुताबिक काम  
नहीं है। इसका कारण क्या है? हम बाहर  
से विदेशी कम्पनियों से जहाज की खरीदारी  
करते हैं। इसका क्या कारण है? ये तमाम  
बातें आपको साफ तौर से यहाँ पर बतानी  
होगी।

इसी तरह से दूसरा सवाल टनेज का है।  
शिप बिल्डिंग की हमारी नेशनल इंडस्ट्री है  
184 L.S.—6

लेकिन इसकी टनेज में कितनी इन्क्रीज हो  
रही है, कितनी नहीं हो रही है इस बातकी  
तरफ शिपिंग मिनिस्ट्री की तरफ से कोई  
अटेन्शन नहीं दी जा रही है। हमारे वहाँ  
जो सिविला कम्पनी या स्टीम नेविगेशन कम्पनी  
हैं वह जिस तरह से जितना चाहे टनेज बढ़ावें,  
लोन लें, आप लोन भी देते हैं लेकिन टनेज  
को रेगुलेटेड तौर से बढ़ाने का आपका कोई  
प्लान नहीं है। जो बाहर के जहाज आते हैं  
उनका कितना टनेज होता है, कोई पता नहीं।  
पी० एल० 480 के जहाज आते हैं, अपना काल  
लाने हैं और यहाँ से माल लेकर चले जाते हैं  
दूसरी फारेन कम्पनीज के जहाज आते हैं और  
आकर माल ले जाते हैं लेकिन उनकी टनेज  
का भी कोई पता नहीं। इस तरह से हम देखते  
हैं कि शिपिंग की जो हमारी नेशनल इंडस्ट्री  
है उसको रिप्रायनाइज करने के लिए कोई  
सीरियस एफर्ट नहीं हुई है। इसका जवाब  
यहाँ पर हमको मिलना चाहिए।

इसी तरह से हमारे सी-मेन हैं, जो  
जहाजों पर काम करते हैं उनकी भी सभ-  
स्याएँ हैं। हमारे इंडियन सी-मेन के साथ  
जो बर्ताव किया जाता है, उनके खाने में,  
उनके रहने में उसकी कोई हद नहीं है। घाफि-  
मर्म के लिए एक तरह का खाना होता है।  
वे एक तरह की क्लाइमेट में जाते हैं। दूसरी  
तरफ इंडियन फ्रैम के खाने, रहने और उनके  
मेडिकल का जो इतजाम है वह दूसरे किसम  
का है। इसी तरह से उनकी बेज्ज का भी  
सवाल है। आई० एल० धो० में, जहाँ कि हमारे  
रिप्रेजेंटेटिव रहते हैं, हर देश के रिप्रेजेंटेटिव  
रहते हैं, वहाँ पर यह तय हुआ था 1973 में  
कि इनको 48 पाउंड दिया जाये इंडियन  
कडीशन्स के मुताबिक लेकिन हमारी शिपिंग  
मिनिस्ट्री चुपचाप बैठी रही कि आप ट्रापार्ट-  
इट कर लो या बाईपाट्राइट करके तय कर लो।  
उन लोगों ने उसको बटा दिया है, 48 पाउंड  
से बटा कर 32 पाउंड कर दिया है। आज  
तीन चार वर्ष से उनकी कम सन्ख्या मिल

### [श्री मोहम्मद इस्माइल]

रही है, हमने जो इन्टरनेशनल फैसला था, उसके खिलाफ काम किया। जब हमारे देश के जहाज दूसरे मुल्को में जाते हैं तो वहां सी-मेन कहते हैं कि तुम्हारे यहाँ कौंधी गवर्नमेंट है, जिसने आई०एल०ओ० के फैसले को भी नहीं माना। कई दफा तो हमारे शिप डिटेन हो गये, फौरन सी-मेनो ने उनका बेराब कर दिया। लेकिन हमारी मिनिस्ट्री को इसके बारे में कोई चिन्ता नहीं है। आई० एल० ओ० से जितनी रिकमपेंडेशन की हैं उनके बारे में मिनिस्ट्री को कोई परवाह नहीं है। हमारे त्रिवेदी साहब आई० एल० ओ० में गये थे, वहाँ उन्होंने उन रिकमपेंडेशन को माना था, लेकिन यहाँ आ कर एम्पायर्स के सामने सप्रेडर कर देते हैं। आई० एल० ओ० ने हमारे यंग-सी-मेन के लिये तीन-चार बहुत अच्छी रिकमपेंडेशन की हैं—लेकिन ये लोग उनको इम्प्लीमेंट नहीं कराते। मैंने इस मामले को शिपिंग बोर्ड में कई बार उठाया, लेकिन कोई नतीजा नहीं निकला। यहाँ तक कि बोर्ड को उन रिकमपेंडेशन के बारे में रिपोर्ट तक नहीं देने हैं, हमारे सी-मेन को पता तक नहीं चलता कि क्या-क्या रिकमपेंडेशन हुई हैं। मेरी आपसे दरखास्त है—आप इसको सीरियसली ले, आई० एल० ओ० की रिकमपेंडेशन का पालन होना चाहिए, इसमें हमारे देश की इज्जत का सवाल है।

दूसरी बात—हमारे देश में फिशर-मेन काफी तादाद में हैं, लेकिन आज उनकी यह हानत है कि कोई उनका माई-बाप नहीं है, उन पर कोई कंट्रोल नहीं है। उनके पास रहने की जगह नहीं है, न कोई शौक है, न वैभ्रहाउस है, जगह-जगह शोपकी बाल कर रहते हैं, इनमें हमारे देश की काफी सेइज्जती हो रही है। फरेन्स इस देश में जाते हैं, उनकी हानत को देख कर हमारा

मजाक उड़ते हैं। इनकी इल्सत को सुधारने के लिए सरकार को कदम उठाना चाहिए।

हमारे यहाँ डीप-सी-फिशिंग होता है, यह डीप-सी-फिशिंग नहीं है बल्कि ब्लैक मार्केटिंग का सबसे बड़ा धड़ है। बड़े बड़े मोनोपोलिस्ट्स, मस्टी नेशनल कार्पोरेशन वाले डीप-सी-फिशिंग के नाम पर मछली पकड़ने जाते हैं और वही पकड़ कर चुपचाप मछलियों को जहाजों से जापान या दूसरी जगहों को पार कर देते हैं, न इस में सरकार को कोई पैसा मिलता है और न यह पता चलता है कि कौन डीप-सी-फिशिंग के लिए जा रहा। और कितनी मछलिया पकड़ी, यह किसी को पता नहीं। आप इस डीप-सी-फिशिंग के मसले पर गम्भीरता से गौर कीजिये और मुनासिब कदम उठाइये जिससे सरकार को रेवेन्यू में नुकसान न हो।

इनलैंड वाटर ट्रांसपोर्ट हमारे देश में सारी दुनिया के मुकाबले सस्ता हो सकता है, लेकिन इसको मही तरीके से अभी तक इन्ट्रोड्यूस नहीं किया गया है। बंगाल में बहुत सी नदिया हैं जिनमें इसको चालू किया जा सकता है, डी० बी० सी० और फरक्का इपीलिये बनाये गये, लेकिन अभी तक नलैंड वाटर ट्रांसपोर्ट चलाने का कोई इन्तजाम नहीं किया गया, इसको नेगलेक्ट किया गया है। इनके जरिये चीपेस्ट रेट पर माल जा सकता है, कोयला भेजा जा सकता है, दूसरी चीजें भेजी जा सकती हैं, लेकिन इसकी तरफ सरकार का कोई ध्यान नहीं है। मेरी दरखास्त है कि इनको डेवलप करने का इन्तजाम किया जाय।

हमारे यहाँ जो मैरीटाइम शिपिंग एक्ट है—उसके मुताबिक जहाजों में मैनिंग का इन्तजाम होना चाहिए। कितने आदमी किम जगह पर काम करेंगे, इसके बारे में अभी तक कोई कल नहीं बनाये गये हैं, सब कुछ एम्प्लायर के हाथों में छोड़ दिया गया है। एम्प्लाय-

खर्च में क्या किया है—जहाँ पाँच घाटमियों को ज़रूरत है, वहाँ तीन घाटमी रखे जाते हैं। उन तीन घाटमियों से पाँच घाटमियों का काम कराया जाता है। हमारी सरकार इस मामले में चुप बैठी है। मेरी दख्खालत है कि इसकी एन्क्वायरी कराई जाय और सोरियसली कदम उठाये जाय।

मोटर वेहिकल्स एक्ट बहुत पुराना है, इसमें तब्दीलों की ज़रूरत है। आपने ड्राइवर्स के लिये काम करने के 9 घण्टे मुकर्रर किये हैं, लेकिन क्या आपने पता लगाया है कि ड्राइवर्स को कितने घण्टे काम करना पड़ता है। 15, 15, 16, 16 घंटे काम कराया जाता है। मैं चाहती हूँ कि मोटर वेहिकल्स एक्ट को रिब्यू किया जाय और हर ड्राइवर के पास, जिम गाड़ी में जाय, एंपोइन्टेड लैटर होना चाहिये, कि यह इस गाड़ी का ड्राइवर है। अभी यह बिल्कुल नहीं है। आप के मोटर वेहिकल्स ऐक्ट में मेरिज रजिस्टर पर दस्तखत करने का प्रोवैजन है, लेकिन वह भी कोई नहीं कराता है।

जहाँ तक स्टेट ट्रांसपोर्ट का सवाल है, उसमें कोई यूनीफार्म पोलिसी नहीं है। सब जगह मनमानी पोलिसी चल रही है। दिल्ली स्टेट ट्रांसपोर्ट में 300 घाटमियों को निकाल दिया, कोई चार्जशीट नहीं दी इनक्वायरी नहीं की। 30 वर्ष में जो काम कर रहा था घाटमी उसको 1975 में निकाल दिया गया। उनको निकाला गया है, उनका बसुर क्या है उनके लिये फिक्स कर दिया जाता है कि 500 रु० का कम्पेशन करना पड़ेगा। वह क्या से क्या? अगर कम कम्पेशन हुआ तो चार्जशीट होता है, निकाल दिया जाता है। मैं चाहूँगी कि मिनिस्ट्रो को हम बारे में देखना चाहिये। चैंसलरमैन पार्ट टाइम हैं, 10, 15 मिनट के लिये आते हैं, बाइस-चैंसलरमैन को जगह खाली है, मैनेजर साहब कुर्सी पर हैं, असिस्टेंट मैनेजर खूब रहते हैं। कोई आ-बाप नहीं है। वह हालत दिल्ली ट्रांसपोर्ट की है। दिल्ली में

जो कि राजधानी है, इस तरह की बेइन्साफ़ी हो तो कैसे काम चलेगा।

आपने राज्य सभा में जवाब दिया था कि आप इनक्वायरी करेंगे। मैं कहना चाहता हूँ कि मैं शिपिंग बोर्ड का मेम्बर था, मर्चेंट शिपिंग ऐक्ट के मुताबिक जितने बोर्ड बने हैं, 12 साल से कोई काम नहीं कर रहे हैं। इसको कोई देखने वाला नहीं है। कौन जाता है, कौन आता है, कोई नहीं देखता। मैंने डी० जे० को सवाल किया, वह भी जवाब नहीं दे सके। प्रोवीडेंट फंड, बॉर्ड, ट्रस्ट्स बोर्ड हैं, कुछ पता नहीं होता सब इलेक्शन होता है, कौन चुना जाता है। नेशनल शिपिंग बोर्ड को अखिरो मर्गिंग में यह तय हुआ है कि इनको इनक्वायरी होनी चाहिये और एक ओपेनियन होना चाहिये, उसके आधार पर चेन्जेज लाने चाहिये। लेकिन यह बातें नहीं की गईं। मैं चाहता हूँ कि जो बातें मैंने नहीं हैं उन का आप जवाब देंगे।

SHRI BHOGENDRA JHA (Jainagar) I beg to move

"That the demand under the head 'Roads' be reduced by Rs 100."

[Need to connect Forbaganj with Muzaffarpur Darbhanga highway across Kamla and Kosi rivers(1)].

"That the demand under the head 'Road' be reduced by Rs 100"

[Need to link the roads on the Nepalese border with those in North Bihar in order to facilitate the border traffic(2)]

SHRI S A MURUGANANTHAM (Tirunelveli) I beg to move:

"That the demand under the head 'Road and Inland Water Transport' be reduced to Re. 1."

[Failure to evolve a uniform taxation and management policy in the

(Shri S. A. Muruganatham)

case of road transport undertakings (9).)

"That the demand under the head 'Road and Inland Water Transport' be reduced to Rs. 1."

[Failure to check cost of operation of road transport industry and take measures to check the profiteering by monopoly houses in the manufacture of chassis, spare parts, tyres and batteries(10)]

"That the demand under the head 'Road and Inland Water Transport' reduced to Rs. 1."

[Failure to reconstitute and convene the Central Tripartite Industrial Committee for Road Transport Industry to discuss the problems of workers and that of the industry(11)].

"That the demand under the head 'Road and Inland Water Transport' be reduced to Re. 1."

[Failure to bring State Road Transport Undertakings at par with other public sector undertakings and convert the non-returnable loans into equity(12)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100"

Failure to give workshop apprentice conductors of DTC regular scales of pay(13)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to pay allowances to over 200 conductors who were sent from training school and were utilised in advanced booking section for regular duties (14).

"That the demand under the head 'Road and Inland Water Transport, be reduced by Rs. 100."

[Violation of the award of the Industrial Tribunal by non-payment of cash compensation to employees of Delhi Transport Corporation for 26th January, 1975 (15).

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to bring drivers and conductors in Delhi Transport Corporation under regular scales of pay after six months' service in accordance with the agreement signed with the DTC Workers' Union(16)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to control heavy losses in the Delhi Transport Corporation(17)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs 100."

[Failure to provide a full time Chairman and Vice-Chairman for Delhi Transport Corporation (18)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs 100"

[Failure to check the move of the Delhi Transport Corporation Board to hand over DTC routes to the private operators under the plea of uneconomic routes (19).

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs 100"

[Failure of the Delhi Transport Corporation to have only standard size buses in Delhi instead of a number of mini buses(20)]

"That the demand, under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to end overtime and pay the wages due for double duty in Delhi to DTC employees (21).

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to provide drinking water facilities in many new depots in Delhi where pure water is not available (2).]

"That the demand, under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to provide fair inquiry and opportunities to reply to show cause notices to 300 employees of DTC whose services have been nominated for alleged acts of misconduct (23).]

"That the demand, under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to keep the buses of the Delhi Transport Corporation fit so that they consume the standard limit of mobil oil (24).]

"That the demand, under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to make available good quality of mobil oil for use in DTC buses(25)].

"That the demand, under the head 'Road and Inland Water Transport' 'Roads' be reduced by Rs 100."

[Failure to review the recommendations of the Standing Committee of Transport Development Council on Road Transport in its meeting of 5th July, 1974 (26).]

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs 100."

[Failure to take steps to check the increase in accidents due to defects in buses and in road surface and to ensure safety of passengers(27)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Need to replace a large number of overaged vehicles of Road Transport Undertakings (28)].

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Need to set up a chassis manufacturing unit in the public sector (29).]

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to undertake a comprehensive review of the working of the Motor Vehicles Act (30).]

"That the demand under the head 'Road and Inland Water Transport' be reduced by Rs. 100."

[Failure to enact legislation to provide uniform scales of pay to all categories of workers in road transport throughout the country(31)].

"That the demand under the head 'Roads' be reduced by Rs 100."

[Failure to Evolve a rational and coordinated rail road policy(32)].

"That the demand under the head 'Roads' be reduced by Rs. 100."

[Failure to ensure efficient maintenance of national highways and preventing misuse of funds by contractors(33)].

"That the demand under the head 'Roads' be reduced by Rs. 100."

[Need to speed up the construction of highway through India for the Great Asian Highway(34)].

"That the demand under the head 'Roads' be reduced by Rs. 100."

[Neglect for maintenance of bridges on national and State highways (35).]

"That the demand under the head 'Roads' be reduced by Rs. 100."

[Need to devote special care to the West Coast Highway in view of the monsoon conditions and the sparsely railway track in the area (36).]

(Shri S. A. Muruganantham.)

"That the demand under the head 'Roads' be reduced by Rs. 100."

[Failure to evolve a system of road network to the backward regions to connect them through feeder roads with the various State and national highways (37)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced to Re. 1."

[Failure to nationalise the stevedores in keeping with national policies (38)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced to Re. 1"

[Failure to conduct a timely review of the work undertaken by the task forces set up after the emergency for implementation of the 20-point programme (39)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced to Re. 1."

[Failure to ensure housing for all employees of Kandla port and dock workers at Gandhidham resulting in ensuring hardships for all employees (40)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced to Re. 1."

[Continuing delay in setting up a National Apex Body for port and dock workers with representatives from the three Federations of these workers (41)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced to Re. 1."

[Failure to set up bilateral negotiations of wage revision for port and dock workers (42)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced to Re. 1."

[Failure to renew contract for handling iron ore work through Kakinada Marine Labour Contractor Cooperative Society Limited, (43)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Refusal to recognise the Madras Port United Labour Union. (44)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Failure to eliminate corrupt officers from the Port administration (45)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Failure to ensure the full implementation of the Zambre award for Bombay Port and dock workers (46)]

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

(Violation of agreement regarding the mode of discharge of Murate of Potash cargo by a Company in Vishakapatnam Port (47)

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Refusal to reimburse to employees of Kandla Port cost of ayurvedic medicine as is done in Cochin Port (48)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Failure to have detailed discussions with recognised and registered



unions in ports and docks with a view to effecting economies and taking unilateral decisions instead. (49)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Need to ensure proper dredging of Calcutta and Haldia Ports and to effect early settlement regarding Farakka waters in this regard. (50)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Need for speeding up of Vishakapatnam Outer Harbour Project and Tuticorin Port works. (51)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Need for improving efficiency of port railways. (52)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Illegal suspension orders against the office bearers of the Vishakapatnam Harbour and Port Workers' Union (53)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Insistence of Ministry in undertaking verification of membership of unions during Emergency (54)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Failure to grant recognition to Egra and Rajbagan Dockyard Workers' Union. (55)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Failure to absorb temporary and casual workers in the Tuticorin Port who were earlier engaged in the Tuticorin Harbour. (56)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Delay in making permanent daily rated labour in Kandla and other ports with more than three years of service to their credit. (57)].

"That the demand under the head 'Ports, Lighthouses and Shipping' be reduced by Rs. 100."

[Failure to grant house building advance to Class III and Class IV employees as done in other major ports (58)].

SHRI C. K. CHANDRAPPA (Telli-cherry): I beg to move:

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Neglect towards development of the minor ports (59)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Failure to take measures for providing sufficient loading and unloading work in minor ports (60)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Need for speedy construction of bridges on N.H. 47 (63)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Need for earlier completion of Valapattanam bridge on N.H. 47 (64)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

(Shri C. K. Chandrappan.)

[Need for setting up a merchant navy school in Kerala (66)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Need for providing more financial assistance to Kerala State Shipping Corporation (66)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100"

[Need for further modernisation of Cochin port (67)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100"

[Failure to provide funds money for the construction of Azheekal port in Cannanore district, Kerala (68)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Failure to provide funds for the modernisation of the minor ports at Alleppey and Quilon in Kerala (69)]

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Failure in completing the National Highway connecting Trivandrum with Bombay through the West Coast (70)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Revision of the earlier decision to construct a bridge between Moothakunnam and Kottappuram on N.H. 47 to connect Ernakulam and Trichur districts in Kerala (71)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Decision taken to construct a bridge on N.H. 47 connecting Gothuruthi and Kottappuram (72)].

"That the demand under the head 'Ministry of Shipping and Transport' be reduced by Rs. 100."

[Delay in taking a final decision about the super tanker berth at Cochin (73)].

श्री श्रीकिसन मोदी (सीकर) : उपस्थित श्री, ट्रांसपोर्ट इन्स्टीट्यूट बड़े महत्व को इन्स्टीट्यूट है जो कि सब से संबंधित है भाई वह बिजनेस हो, लडाई हो या व्यापार हो। इसलिये इसका बहुत महत्व है। भारत में एक और विविध बात है कि यह इन्स्टीट्यूट छात्रावासों को छोड़कर, अधिकतर छोटे छोटे छात्रावासों के पक्ष है और एक, एक टुकड़े बहुत से गरीब छात्रों को अपना बुरा करते हैं। इसलिये इसका महत्व है। इसके साथ ही इन्होंने हिन्दुस्तान में पाकिस्तान को लडाई में ऐतिहासिक काम किया। उस समय इन्होंने काफी बहादुरी का काम किया था। ट्रांसपोर्ट वालों ने 1971 में भी साथ दिया था। यह सारे गरीब तबके के लोग हैं। अगर आप इस इन्स्टीट्यूट को ध्यान से देखें तो पावेंगे कि यह खत्म होना जा रही है। कुछ दिनों के अंदर अगर आपने इसको नहीं सम्भाला तो यह इन्स्टीट्यूट छोटे छोटे हाथों से निकल कर बड़े बड़े हाथों में चली जायगी, और किराये इतने बढ़ जायेंगे कि जो सम्भालना मुश्किल हो जायगा।

मैं निवेदन करना हूँ कि यह ठोक है कि ट्रांसपोर्ट डेवलपमेंट कमेटी ने काफी सिफारिश की है, इनको बढ़ावा देने के लिए एक करोड़ रु० का प्रोजेक्शन भी रखा। कुछ बैंकों को भी आपने लिखा है, एम० आई० सी० को भी कहा है कि लोगों को लोन दिया जाय। लेकिन वह लोन मिल नहीं रहा है। अगर आप क्लियर लें कि हिन्दुस्तान में कितने टुकड़े वालों को लोन मिलता, कम्पनियों को छाड़ कर, तो आप पावेंगे कि गरीब तबके के लोगों को, इंडियन युवक छात्रावासों को, 10 परसेंट को भी लोन नहीं मिला है।

मैं आपसे यह भी निवेदन करता हूँ कि व्याज को भी दर है, इसका छे भी बढ़ाए। इस समय प्रत्येक टुकड़े वाले को 18 व

काम खरना होता है और इन 18 बच्चों के अन्दर उनके ऊपर बड़े मुँहों से आती हैं जिसका अन्दाजा आप इसी से लगा सकते हैं कि दिल्ली के अन्दर आप की कार्पोरेशन के अन्दर 2500 गाड़ियाँ बं बनें हैं, गिनके अन्दर लगभग आप का 25 लाख से से कर 40 लाख रुपये का बंटा है। उन ट्रक वालों के डिपॉज से अगर एक हजार रुपये पर अम्ब का प्रोफिट लगाया जाए तो, 25 लाख रुपये का प्रोफिट होना चाहिए। इससे धारा खुद घोष करके हैं कि ट्रक वालों की बग़ालत है।

इनके साथ साथ एक बात और निवेदन कर रहा चाहता और धारा जो इन की अच्छी तरह से जानी है कि आज अगर आप के नेशनल हाइवे पर एक ट्रक कलकत्ता से बम्बई तक जाता है, तो कितनी जगहों पर उस की रिकवरी देनी पड़ती है और कितनी उस को परेशानी उठानी पड़ती है और कब से कम मैं यह कह सकता हूँ कि अगर आप हिंसा बं लगाए तो मालूम पड़ेगा कि एक ट्रक वाले को 12 घंटे का नुकसान भी होता है। आप आपसे इस की अपेक्षा समझें लेकिन मैं यही महोदय से यह कहना चाहता हूँ कि किस, जो इन्डियन के पास बैठ कर आप पूरे 24 घंटे का एक बीग लगाए, तो आपकी पता चलेगा कि उनको कितनी रिश्त देनी पड़ती है और कितना समय उनका खराब चला जाता है। जगह जगह पर उनको रुकना पड़ता है और दो हजार, तीन हजार की रिश्त देनी पड़ती है। हम सम्बन्ध में मैं आप से एक वक्ता भिला भी था और आपने कहा था कि स्टेट्स के लोग नहीं मानते। मैं आपसे यह कहना चाहता हूँ कि कितना म्यूनिसिपल टैक्सेड का आप उनको देना पड़ता है, उसको आप कंस्यूमेट कर लीजिए और वह ट्रक वालों से एक साथ से लीजिए जिस से वे रिश्त देने से बच जाएँ और कम से कम बरेखानी उनको हो।

सही तरीका मैं यह निवेदन करना चाहता हूँ कि पण्डित होने में यही तकलीफ़ होती

है। यह बड़ी खुशी की बात है कि आपने नोस-पुनो कार्रका के अन्दर एक नेशनल प्रोग्राम रखा है, जिसकी वजह से बड़े राहत मिली है। नेशनल प्रोग्राम तो आपने बनाया है लेकिन रीजनल प्रोग्राम और दूसरे जो प्रोग्राम हैं उनके लिए भी कोई कानून या गायदा बनाइए, जिससे उनको जो बहुत भारी परेशानी का सामना करना पड़ता है, वह न करना पड़े। आप उनकी तकलीफ़ों को अच्छी तरह से समझते हैं। इसलिए मैं यह निवेदन करना चाहता हूँ कि आप उनकी एक एरोशियेशन बनवाइए और एक कानून बनाइए। उनकी छोटी छोटी तकलीफ़ों को न कर आपकी मालूम होना कि आज उनके सामने कितनी बड़ी समस्या है।

इनके बाद मैं एक निवेदन और करना चाहता हूँ। इन गैर लोगों को एक बड़ी समस्या का सामना करना पड़ता है और वह यह है कि मोबिल आयल और पेट्रोल इनको नकली भिजना है। उनकी वजह से उनकी जीमनरी खराब हो जाती है। उन मशीनों के खराब हो जाने से उन मशीनों का दिवाला निकल जाता है। मैं ऐसे ट्रक वालों को वापस हूँ गिनके पाम दन दस ट्रक है लेकिन उनको इन सब चीजों के कारण 150 रुपये महीने से ज्यादा नहीं मिल रहा है। इसका कारण एक यह भी है कि जब मरम्मत करते जाते हैं तो उनको स्पेयर पार्ट्स अच्छे नहीं मिलते हैं और प्रायः अच्छे पार्ट्स की आपकी कोई ऐसी व्यवस्था नहीं है कि जहाँ से वे उनको सँभालें। रिलायबिल बर्कसप्प भी ही हैं जहाँ पर वे अपनी गाड़ियाँ ठोक करा सकें और इसके लिए उनको जगह जगह घटकना पड़ता है। इसलिए मैं आपसे यह निवेदन करना कि जहाँ आपने फूड एडमिनिस्ट्रेशन एक्ट बनाया है, उसी तरह से मोटर स्पेड और पेट्रोल आदि के लिए भी एक एडमिनिस्ट्रेशन एक्ट बनाइए और उसमें एडमिनिस्ट्रेशन के लिए सब कुछ रखा जाय। इसके साथ साथ जगह जगह आप सर्विस स्टेशन खोलिए जिससे कि उन्हें

### [ श्री श्रीकिशन बोधी ]

सुविधा मिले। उन्हें सस्ते दामों पर पार्ट्स मिलने चाहिए, अन्यसे मिलने चाहिए, इनके अलावा सर्विस को भी सुविधा उन्हें मिलनी चाहिए।

एक छोटे-से बात और कहना चाहता हूँ। क्या आपने इन ट्रकवालों को जांच का अधिकार सभी को दे रखा है? क्या उनको चैकिंग का अधिकार किसी भी लोकल सिपाही, पिऊन, चौकोबार को भी दे दिया है? आप कोई भी नया ट्रक ले चाहिये, कोई भी चैकिंग करके उसको रिजर्व कर सकता है। इसलिए मैं आपसे निवेदन करूंगा कि आप अपने अधिकारों का इस्तेमाल करके इनको लोकल पुलिस को चैकिंग से बचाइए ताकि कम से कम उनको ससे राहत मिल सके। ट्रैफिक को चैकिंग होनी चाहिए लेकिन, जो हरेक आदमी उनको चैकिंग करता है, इसमें आप तब्दीली कोजिए।

बैल गाटो आपका भेज नहीं है, आपके ट्रांसपोर्ट डिपार्टमेंट में नहीं आता है। लेकिन मैं निवेदन करना चाहता हूँ कि कई सालों से हमारे यहां बल गाड़ियां चल रही हैं जिनमें बार हजार करोड़ रुपया लगा हुआ है। वह सारे गांव का धंधा है। उसको सुधारने के लिए कोई एक-दो करोड़ रुपया ऐसा रखिए जिससे उनमें चैजिज लाई जा सकें। आप जांच करके कोई ऐसी गाड़ी दे सकें, अभी मैंने अखबार में बड़ा था कि रशिया ने एक मखोन बनवाया है जिससे आदमी दस किलोमीटर को रफतार से चल सकता है, आप भी कोई ऐसी मखोन तैयार कराइये जो हमारे बोर्डों में, बैलों में लगा कर उनको स्पेड बढ़ाइये जा सके, वे तेजी से चल सकें तो सभी लोग, ग्रामीण लोग आपके शुक्रगुजार होंगे।

अब मैं अपनी एक मित्रों बात कहना चाहता हूँ। रोड के सम्बन्ध में, ज्यादातर, स्टेट्स में और आपके यहाँ जनरली ऐसा होता है कि रोड्स अहमियत को देख कर के

नहीं, अहमियत सिकारिस पर बनायी जाती है। आपको यह देखना चाहिए कि कीमती रोड अहमियत का है, कीमती रोड बनाने चाहिए। आप ऐसे ही हो इस बना, उनमें आपका पैसा लगता है और दूसरी बात भी होती है। रोड्स बनाने से पहले आपको उनको अहमियत देखनी चाहिए। एक आपको यहां कानून बना है नेशनल हाई वे से दूसरे हाई वे को मिलाने के लिए खास तरी पर बोर्डर पर हाईवे को मिलाने के लिए। मैं आपसे कोठुतली से जो आपकी नेशनल हाईवे आठ है उसे सीकर हाईवे से जोड़ने के लिए कहता हूँ जिससे पाकिस्तान के बोर्डर को जो आपको दो-हाई सी मोल का चक्कर लगा कर जाना पड़ता है, वह लगा कर नहीं जाना पड़ेगा। यह नेशनल हाईवे बहुत जरूरी है। इसलिए मैं आपसे रिक्वेस्ट करूंगा कि आप इसकी जांच करवाइये, सर्वे करवाइये और कोठुतली से सीकर का जो 25-30 मील से ज्यादा का टुकड़ा नहीं है, इसे अगर जोड़ दिया जाता है तो इससे आपको बोर्डर पर मदद मिलेगी और काफी बड़ा फायदा होगा।

नेशनल वाटर ट्रांसपोर्ट के अन्दर आजकल काफी घाटा हो रहा है। कारणों की मांग भी नहीं है। इसका एक मात्र कारण यह है कि व्यक्तिगत ग से अभी तक आपने ऐसा कोई काम नहीं किया जिनमे यह ठोक् से चले। आप गंगा के अन्दर, इलाहाबाद से, कलकत्ता से वाटर ट्रांसपोर्ट बालू करना चाहते हैं। आप इसके लिए बाकायदा स्टेशन बनाइये, बाकायदा कारणों का सामान उस पर प्रन्वर दीजिए, उसके अन्वर पाबंद रखिये, उसके रेट बवैरु फिलस कोजिए। कारणों के आने जाने में जो रुकावट आती है, उसको दूर कोजिए। मैं समझता हूँ कि इससे आपको बहुत ज्यादा सामान मिल सकता है। नवियों के प्लड का जो पानी आता है, उस पानी को आप इनलैंड वाटर ट्रांसपोर्ट में जूर करें। आप इसका सर्वे करायें, हिन्दुस्तान में यह बहुत बड़ा काम हो सकता है।

इसके साथ साथ आपने पांच साल के अन्दर, पाँच वर्षीय योजना में इसके लिए 26 कोड़ पया रखा है। आपने 18 वर्षों पर 440 करोड़ रुपया रखा है तो नेशनल बाइर स्कीम के लिए यह पया बहुत कम है। इसको आप ज्यादा बढ़ाइये। इसके अन्दर आप ध्यान और सब करायें।

मैं इनका कह कर समाप्त करता हूँ।

14.00 hrs.

जी भारत सिंह चौहान (धार) : जब हम इस विषय पर बोलते हैं तो भारत का नक्शा हमारे सामने आ जाता है और साथ ही साथ साढ़े तीन हजार मील लम्बा समुद्र तट हमारी नजरो के सामने आ जाता है। शिपिंग एंड ट्रांसपोर्ट का महकमा देश की उन्नति में कितना मददगार और सहायक हो सकता है इसकी महज ही कल्पना हम कर सकते हैं। कुछ मेजर पोर्ट्स पुरानी बनी हुई है। लेकिन आजादी के बाद इन 25-30 सालों में हमे उनकी जितनी उन्नति करनी चाहिये थी नहीं की है और हमारी इस दिशा में जो गति रही है वह बड़ी ही धीमी रही है। मैंने गोआ की पोर्ट को देखा है। आजादी के पूर्व भी इसको देखा था। तब भी यह समझा जाता था कि यह पोर्ट भारत की सब से अच्छी पोर्ट्स में से है। उसको एक मॉडर्न पोर्ट में कनवर्ट किया जा सकता था। उसके लिए कुछ स्कीम ज़रूर बनी हैं लेकिन उनको कार्यान्वित करने की जो गति है वह बहुत ही धीमी है। जितना लाभ हमको उससे प्राप्त होना चाहिये वह प्राप्त नहीं हो रहा है। इस सम्बन्ध में मैं माननीय मंत्री जी का ध्यान कलकत्ता, इन्दिया, विशाखापत्तनम, मद्रास आदि बड़ी पोर्ट्स की ओर दिलाना चाहता हूँ। हमारा जो 3500 मील का समुद्र तट है उस पर हम को चाहिए था कि हम छोटी छोटी पोर्ट्स को भी हाथ में लेते। इससे देश से उद्योग घरे बढ़ने में हमे सुविधा मिलती, भारत के जो बेकार शोध हैं और जो लाखों की तादाद में हैं उनको रोजगार में लाने में मदद

मिलती। जो पिछड़े इलाके हैं वे भी हम तरह से आने आ सकते थे और वहाँ पर काफी उद्योग घरे चले सकते थे और उन में टेहने वालों को काम मिल सकता था। छोटे छोटे देश हैं जिन्होंने अपनी पोर्ट्स को उन्नत करके विश्व में अपना एक विशिष्ट स्थान बना लिया है। हम ऐसा नहीं कर पाए हैं, यह बड़ी दुख की बात है। हमारा इनका बड़ा समुद्र तट है लेकिन हम दुनिया के सामने उसमें फायदा उठा कर एक मिनट नहीं रख पाए हैं। जिस तरह से रेलवे विभाग आपने हाथ में है। इसी तरह से शिपिंग एंड ट्रांसपोर्ट भी आपके हाथ में है। यह भी एक प्रकार से बहुत बड़ा उद्योग है और इसका विकास करके आप एक क्रांति पदा कर सकते थे और भारत की बहुत सी समस्याओं को हल कर सकते थे, समस्याओं को हल करने की—यह एक गारंटी थी लेकिन आप ऐसा नहीं कर सके हैं। जिस नेजी के साथ हमें इस उद्योग को बढ़ाना चाहिये, इस घरे को बढ़ाना चाहिये था उस नेजी में हम ने इस को नहीं बढ़ाया है। जब हम अपने देश की तुलना जापान आदि छोटे देश में करते हैं तो हमे निराशा ही हाथ लगती है। आज हम जापान से सलाह लेते हैं। हम इतने कमजोर मिद्ध हुए हैं कि हम एक्स्पर्ट इंजीनियर आदि पदा नहीं कर पाए हैं, जिस तरह में जापान ने विश्व में इस उद्योग में एक बड़ी भारी नामवरी कमाई है, वैसे हम नहीं कर पाए हैं। आपकी रिपोर्ट को मैंने देखा है। आप जापान में सहयोग प्राप्त कर रहे हैं। वह सहयोग तो आप ले। लेकिन भारत में जो टेलेट है उसको भी आप प्रोत्साहित करें। अगर हम छोटी छोटी पोर्ट्स को आगे बढ़ाए, उनका सब करायें तो उससे हमे बहुत कुछ मदद मिल सकती है और हम अपने देश को समृद्धिशील बना सकते हैं।

जहां तक रोज़्ज का सम्बन्ध है, उस क्षेत्र में भी हमें निराशा ही हाथ लगती है नौसैनिक

### [ श्री भारत सिंह चौहान ]

हाईवेज हमारे हाथ में है। लेकिन हम फिर भी बहुत से स्थान हैं जहाँ पर रोड्स की सुविधाएँ नहीं हैं। हाईवेज इस तरह के हैं कि वहाँ पुलों, पुलियों का अभाव है। जिस तेजी से ये बननी चाहियें थी नहीं बनी हैं। वह भी एक बड़ी अड़चन सिद्ध हुई है। नदियों नालों का पानी उन पर आ जाता है। भारत के नेशनल हाईवेज की हानत यह है कि कहीं कहीं और कई जगहों पर बारिश की वजह से बस बस और पंद्रह पंद्रह दिन तक ट्रेफिक उन पर रुका रहता है।

उदाहरण के लिए मैं आपको बतलाना चाहता हूँ कि नर्मदा का पुल, जिसके लिए बार बार यह मांग की जाती थी कि जब तक इसको ऊँचा नहीं बनायेगा तब तक यह समस्या हल नहीं होगी, वहाँ के बाद उस तरफ ध्यान अहर गया है, लेकिन नर्मदा का पुल जो खलसाट में बन रहा है, उसके निर्माण की गति में ऐसी लगतता है कि शायद वह 7, 8 वर्ष में पूरा होगा।

इसी तरह से पिछले दिनों यह विचार सामने आये थे कि जितने नेशनल हाईवेज हैं, उनमें बाई-पास, बचनी रोड की बड़ी आवश्यकता है, इनके न होने में कई एक्सीडेंट्स इसमें होते हैं, ट्रांसपोर्ट की गति में भी बहुत काबट होती है। मैं अपने खेद की बात कह सकता हूँ, 10 साल पहले भी यह बात सामने लाई गई थी कि बम्बई-आगरा रोड तथा गुजरी, घामनो और खलसाट कुछ ऐसी जगहें हैं जहाँ अगर बाई-पास रोड नहीं बनती है तो उसकी वजह से ट्रेफिक में बड़ी अड़चन आती है। लेकिन आज तक भी शिमला और ट्रांसपोर्ट मिनिसट्री ने उस पर ध्यान नहीं दिया, जिसकी वजह से कई एक्सीडेंट होते हैं और ट्रेफिक में भी अड़चन आती है। यह साधारण भी बात है कि बाई-पास रोड बनाये जायें। इस पर पूरा ध्यान देने की आवश्यकता है।

इसी तरह से एक कैपिटल से दूसरी

कैपिटल को ज्यादा करने के लिए नेशनल हाईवेज बनाने की आवश्यकता थी। पिछले दिनों इस पर विचार भी किया गया था और मिनिसट्री द्वारा यह कामकाज भी दिया गया था कि जोरान ने अजमदाबाद के केस प्लान हाईवेज में परिवर्तन किया जावे लेकिन वह आज तक भी डिक्लेयर नहीं किया गया। मैं मिनिसटर साहब से निवेदन करूँगा कि इस पर ध्यान ही विचार करें। ताकि उस नेशनल हाईवेज के बनने के बाद ट्रेफिक में सुविधा बतबरकी हो।

रोड की सुरक्षा के बारे में मैं यह कह सकता हूँ कि जो ट्रेफिक आता है वह बहुत ज्यादा अन-सेफ है। कम-से-कम भारत सरकार को इस तरह ध्यान देना चाहिए कि जो रोड इनके अडर में हैं, वहाँ एक प्रादम रोड बने। सेप्टो और सुविधा की दृष्टि से प्रादम रोड बनाने की आवश्यकता है। जो हमारे हाथ में है, उसे हम आसानी से बना सकते हैं, लेकिन कई एक्सीडेंट्स बम्बई-आगरा रोड पर होते हैं और दूसरी नेशनल हाईवेज की खबरें भी हमारे सामने आती हैं।

बुजारोण के बारे में भी कहा जाता है। यह आज की बात नहीं, अजमेर के समय से ही यह प्रेरणा मिलनी थी। लेकिन नेशनल हाईवेज में किनारे रोड्स ऐसे हैं जिन पर आपने स्कीप बना कर रोड के दोनों किनारों पर धारोपण किया है, जिससे ऊँची हवा मिले, छाया मिले और पानी बबेरा की सुविधा मिले। आप कुछ ऐसे नेशनल हाईवेज बताइये जिनको देश के लोग देखे और आसानी तारीफ करे। देश की जनता ही नहीं बल्कि विदेश से आने वाले भी समझे कि शिमला एंड ट्रांसपोर्ट मिनिसट्री ने किन्नी तरकीब इस काम से की है।

इसी तरह से बाटुर-बस के बारे में मैं भी कहा जा सकता है। भारत में नदियों की कमी नहीं है। कमी है हमारी प्लाजि

जैसे किसी बजट में धारा तक हम, जो बाटर-बैक बना सकते थे, वह नहीं बना सके। बजट सस्ते पड़ सकते थे। यह आपके असी-आन मालम है कि मोटर्स और दूसरी चीजों के मुकाबले जो बाटर से ट्रांसपोर्ट होता है, वह कहीं सस्ता पड़ना है। बारज्याडा सुविधाएँ मिल सकती हैं। इसकी तरफ भी हमारे मिनिस्टर साहब की पूरी तरह से ध्यान देना चाहिए और जो आपके अन्तर्गत बाटर-बैक बन सकते हैं उनको हीन बनाने की कोशिश करें। मेरा आपसे अनुरोध है कि मिनिस्टर ट्रांसपोर्ट की मिनिस्ट्री को आप रेल उद्योग की तरह में टाप पर पहुँचावें।

श्री बिहारीब झा (महर्षा) उगधध महीदय, जहाँ आजादी के बाद देश में पब-परिवहन और नीवहन में बहुत विकास किया है, वहाँ मुझे यह बहना पड़ता है कि आज भी पिछड़े क्षेत्रों की ओर स मंत्रालय का पर्याप्त ध्यान नहीं गया है। भयले दिन "दूरदर्शन" के उत्पादन के अवसर पर हमारी नेता, प्रधान मंत्री, ने कहा कि आजादी के बाद देश में 7-1/2 लाख पया विकास-कार्यों पर खर्च किया गया है। बहुत विकास हुआ है, ० वि और औद्योगिक क्षेत्र में उत्पादन बहुत बढ़ा है, देश को बहुत लाभ मिला है, लेकिन पिछड़े क्षेत्र इस लाभ से वंचित रहे हैं।

जब कभी हम लोग पिछड़े क्षेत्रों में ओद्योगीकरण की बात करते हैं, तो सरकार की ओर से इनफ्रा-स्ट्रक्चर के अभाव का हवाला देते हुए बनाया जाता है कि वहाँ सड़कें, रास्ते और बिजली आदि नहीं हैं। मतः उद्योग स्थापित नहीं किया जा सकता है। ऐसी स्थिति में उन क्षेत्रों का विकास कैसे हो ? इस लिए उन पिछड़े क्षेत्रों के विकास के लिए पब-परिवहन का बहुत ही महत्व है।

आज होता क्या है ? आज देहात में रहने वाले किसानों और खेतों में काम करते वाले मजदूरों को अपनी उपज की कीमत बहुत कम मिलती है। सिर्फ दान मील दूर स्टेशन मंडों में उन को उपादा देना मिल सकता है, लेकिन वहाँ कोई परिवहन की व्यवस्था न होने के कारण वे लोग अपना माल मंडों तक नहीं पहुँचा सकते हैं। इसलिए उन को अपने घर में पाँच, दस रुपये दान का लेना पड़ता है। इतना ही नहीं, उन लोगों को अपने उपयोग की जो सामग्री खरीदनी पड़ती है, वह भी अपने गांव में तेज भाव पर खरीदने को विवश होना पड़ता है। परिवहन के अभाव में यह सारी कठिनाई है, जिस को दूर करना सरकार का काम है, ताकि खेत और कार-खाने में काम करने वाले मेहनतकश लोगों को अपनी मेहनत की कहीं भी कीमत मिल सके।

हमारी नेता, प्रधान मंत्री ने जो 20-सवीं आर्थिक कार्यक्रम देश के सामने रखा है, उस में सब से अधिक प्रमुखता इस बात को दी गई है कि देश में जो सब से दखे लोग हैं जो दीर्घांग से कुचले जाते रहे हैं उन की बेहतरी के लिए, उन को ऊपर उठाने के लिए व्यवस्था की जाये, और यह सब बहुत तेजी से हो रहा है। आज आवश्यकता इस बात की है कि उसी तरह पिछड़े क्षेत्रों के विकास के लिए अधिक से अधिक धन का उपयोग किया जाये और वहाँ समुचित रूप में विकास-कार्य कराने की व्यवस्था की जाये, ताकि सम्पूर्ण देश की दौड़ में वे पिछड़े हुए क्षेत्र कहीं पीछे न रह जावें और विकास के लाभ से वंचित न रहे।

अब मैं आपके माध्यम से अपने क्षेत्र की कुछ आवश्यक बातों की ओर मंत्री महोदय का ध्यान आकृष्ट करना चाहता हूँ। एफ वरधंता कारबीस-यज पावनेवर्ती पब है। 2 जुलाई,

[श्री चरजीब झा]

1971 को तत्कालीन परिवहन मंत्री, श्री राजबहादुर ने मेरे प्रश्न संख्या 3694 के उत्तर में जो कुछ कहा, उससे यही महोदय यह समझ जायेंगे कि जिस बात की मैं जहाँ कर रहा हूँ, दरभंगा अपनी हिमनी अड़मिरा है।

यही महोदय का उत्तर पिक में सुनाता हूँ उन्होंने कहा है।

"The construction of the Darbhanga-Forbesganj road is not yet sanctioned. A Committee consisting of the representatives of the Ministries of Shipping and Transport, Finance, Defence and Planning Commission has been constituted only for considering ways and means for the financing of this project, specially the construction of Kosi bridge on this route and its immediate approaches...."

उपाध्यक्ष महोदय, सहज में ही अनुमान किया जा सकता है कि बड़ कैपा पुल और कसा रास्ता है जिसमें इन्हीं निम्नलिखित की आवश्यकता है? यह पार्श्ववर्ती भड़क है, नेरान की सीपा पर से होकर गुजरती है। आप जानते हैं कि निम्नलिखित के रास्ते चीन नेरान की तराई तक अपनी रोड बना चुका है। चीन का हमारे देश के साथ संबंध कैसा है, उसका क्या रुख और रवैया है इस से हम गाफिन नहीं हैं। ऐसी स्थिति में बड़ रोड हमारे लिए प्रतिरक्षा की दृष्टि से कितनी आवश्यक है इसका महत्त्व ही अनुमान लगाया जा सकता है। लेकिन बावजूद 1971 के इन उत्तर के आज तक इसके संबंध में कोई व्यवस्था नहीं हो सकी है। वह बात वहाँ की तारी पड़ी हुई है। न डिमेंड मिनिस्ट्री कुछ कर रहे हैं, न मिनिंग ऐंड ट्रांसपोर्ट मिनिस्ट्री ही।

वह तो डिमेंड की बात हुई। लेकिन वहाँ पर आज आम लोगों की स्थिति क्या है, अब जिस प्रखण्ड के अंदर कोसी पर पुल बनना है उस निर्मली प्रखण्ड का एक भाग कोसी के पूरब है और दूसरा पश्चिम में है। वहाँ इस भाग के लोगों को अपने हेडक्वार्टर निर्मली तक जाने के लिए बाहेतो पाँच जिलों को पार कर के ट्रैन से जाना पड़ता है और नहीं तो नेरान के रास्ते गुजरना पड़ता है और नेरान हो कर गुजरने में जो तंदीनी होती है, जो लोगों को अपमान का चूट पीरा पड़ता है वह तो हम लोग जो बयान के गूने वाले भुक्तमोयी हैं वे जानते हैं कि किस तरह से हम को अपना झंडा तक उतार कर के जाना पड़ता है और उस में हमारे जो तीहीन होती है उस को हम महसूस करते हैं। इसलिए आवश्यक है कि वहाँ इस के लिए अपने देश होकर यह रास्ता बने और उसके लिए दरभंगा फाबिनज पार्श्ववर्ती पथ का तथा उसमें कोसी पर पुल का निर्माण हो जो अविश्वम्भ आवश्यक है।

दूसरा मेरा निवेदन यह है कि राष्ट्रीय राजमार्ग 31 में महेशखूट से सहरमा कमिशनरी को और जाने के लिए एक आवश्यक पथ के निर्माण का कार्य चल रहा है। बिहार सरकार के पास जो कुछ छोड़े बहुत मात्रा है उन में यह कार्य को कर रही है। लेकिन उस पर जो एक बड़ा पुल बनेगा उसके लिए उस के पास साधन नहीं है और वह काम बिहार सरकार नहीं कर सकती है। इस लिए बिहार सरकार को इस दृष्टि काम के लिए पथ परिवहन विभाग से ऋण और अनुदान देना चाहिए ताकि वे इस काम को कर सकें।

अन में एक चीज और कह कर मैं बैठ जाना चाहता हूँ। कामी नहीं दो तटबन्धों के बीच में बाध दी गई है। लेकिन बीच में भी उसकी घाटा बगबर



बदली रहनी है, निपट करनी रहनी है। मेरा निवेदन यह है कि उस की मंजी भी आज कराए और उसको देखिग बगैरु करा कर ऐसी व्यवस्था कर कि दोनों तटबन्धों के बीच में उसकी एक घारा कायम रहे ताकि नीवहन को व्यवस्था जगमें हो सके तो यह एक बहुत बड़ी उपलब्धि होगी। इस पिछड़े क्षेत्र के लोगों को यातायात के लिए बहुत सुविधाजनक माधन मिल जाएगा।

अन मेरा आग्रह है कि इन बातों पर मंत्री महोदय गौर करें, इनकी आज कराए और इनके लिए जो कुछ हो सके वह किया जाए। इन शब्दों के साथ मैं पथ-परिवहन और नीवहन मंत्रालय की मांगों का समर्थन करता हूं।

SHRI N. E. HORO (Khunti): There are many areas in our country which are still backward and one of the reasons why they are so is that they do not have the infrastructure. Roads are a vital part of that infrastructure. This Ministry which is in charge of transport and shipping has been doing good work in the border areas; they have also been helping the state governments in their attempts to build or repair the roads. This department should give more assistance to the state governments because over the last two decades it has been said that the state governments have not been able to build the infrastructure due to paucity of funds. In this connection, I will specially mention Orissa and Bihar, and also the eastern and northeastern region. If those regions are given good roads and if the rivers and rivulets are provided with culverts or bridges, those areas would automatically develop. Let not the Union government leave it to the State governments; they should give financial aid to the state governments. I want to mention one or two points in this respect. In Chota Nagpur, we have a national highway which goes from east to west. Chotanagpur is not connected with areas in Orissa or

Madhya Pradesh. National Highway No. 33 should be joined with that national highway which goes from Calcutta to Bombay. This means that you will have to build a bridge over a river at two places in Ranchi district—at Simdega and Majatoli. I am mentioning this because those roads are of great economic importance to Chotanagpur. As it is, Chotanagpur is joined neither to Orissa nor Madhya Pradesh by roads, without these bridges.

With regard to national highway No. 2, it is found that the same work is done every year. The same bridge is reconstructed or repaired every year or the same length of road is repaired year after year. What is happening appears to be that the contractors responsible are not doing their proper job, there is poor engineering and they are not using the required percentage of bitumen and stone chips and all those things with the result that they have to repair the road every year. The Ministry should look into these matters. If the hon. Minister wants, I shall give him specific instances that I have come across. Much money is being wasted on the same work again and again.

I was going through the report. The border roads organisation has done some good work. I was wondering whether the government should not combine the different organisations like border roads organisation, central road transport corporation, inter-State transport commission, central inland water transport corporation, etc. Why don't you bring all of them together and make one or two viable Corporations instead of having so many organisations, because they are bound to overlap. The Border Development Board has been doing good work in the border areas. You can change its name and can also utilise its services in other areas. That is the type of organisation with a good reputation, in which people have confidence. Now, if you ask different contractors to do the job, they will waste money and material. Then you cannot ex-

[Shri N. E. Horo.]

pect from them the required standard work. I would therefore request the Hon'ble Minister to take this point into consideration.

I would also like the Ministry to pay more attention to the Eastern areas which are having ports like Hakia and Paradeep. If proper survey is made in the Eastern region, minor ports could also be constructed in those areas. I want that the Ministry should take this point into consideration so that the Eastern area which has a large hinter-land can play its role in the economic development of the country. By this the entire nation will benefit. I request the Ministry to consider this point also.

\*SHRI R. N. BARMAN (Balurghat): Mr. Deputy Speaker, Sir, I rise to speak on the Demands for Grants of the Ministry of Shipping & Transport for the year 1976-77. At the very outset I will speak about the working of the Delhi Transport Corporation. In Delhi the people have to depend on the bus service alone for going from one place to another and the D.T.C. is the only organisation which provides for passenger transportation. In other words the DTC enjoys a monopoly in bus service in Delhi. Now, the monopoly has its advantages as well as disadvantages. Due to absence of any competition, the fares can be raised at will. But can we wash our hands off all responsibility by raising the fares only? If we examine the accounts of the DTC for the last five years, we will find that it is continuously running at a loss. During the last two years the bus fares have been raised at least twice. Once when all the buses were marked "Express" as a result of which every passenger had to pay five paise more. On the second occasion the fares were raised by introducing the Central Terminus System. Under the present system the buses coming from various directions terminate at the Central Secretariat and the people have

to take another bus to reach their destination. As a result of this every passenger has to pay at least 32 P more. Moreover, the monthly tickets which cost Rs. 30 previously now cost Rs. 50. The price of the whole-day tickets has also been raised to Rs. 1.25. In spite of all these we have failed to arrest the loss of revenue. Why is it so? Till April 1975, the DTC had showed a loss of Rs. 66 lakhs per month, and upto March 1975 the amount of accumulated loss of the DTC ran into 40 crores of rupees. I will like to know what is the amount of the monthly loss at present and why this loss is being incurred. In January 1975, the per kilo-metre income of the DTC was 84 paise and the per kilometre expenditure was Rs. 1.92. That means the loss incurred was 98 Paise per kilometre in January 1975. We know that after the emergency the sale of tickets have gone up. But we will have to see whether improvement have been affected in other Branches also. It is seen that on an average about 30 per cent of the buses lie idle every day. We should find out why is it so particularly since the proportion of new buses at present is fairly large. I was surprised to learn that the DTC's own buses run on an average 202 kilometres each day but the buses of private operators under the DTC run about 247 kms each day. Why this difference? The Public Undertakings Committee of Karnataka has published a comparative report of the bus services in various States. I will quote a few aspects of that report:

Operational Staff per vehicle	1971	1972
Trivandrum	5.50	5.30
DTC	11.80	8.84
Bangalore	..	8.35

This shows that the operational staff on the DTC is much more as compared to other States. It naturally results in higher expenses. Can we not cut on

\*The original speech was delivered in Bengali.

this expenditure? Again I will quote about bus utilisation from that report:

Bus Utilisation	1971	1972
DTC . . . . .	69.3	73.9
BEST . . . . .	90.1	86.8
BTS . . . . .	..	88.1

This shows that the bus utilisation in Delhi is the least.

*Average Life of  
New Engine*

	Km.	Km.
DTC . . . . .	1,97,259	1,44,975
BEST . . . . .	3,13,198	3,32,815
Bangalore . . . . .	1,37,248	1,89,188

From this we see that the life of new engine in the DTC is almost half of that in the BEST. This also needs an explanation. In 1974 a 'one-man Committee' was constituted which was called the Pimpurkar Committee. The Committee has submitted its report but I do not know how far its recommendations have been implemented. I will only say that the expenses of the DTC must be reduced and it is not an impossible proposition. Sir, we have a "Public Undertakings Committee" of Parliament and Dr. Dhillon was at one time the Chairman of that Committee. If we request that Committee to present an exhaustive report on the Metropolitan Bus Services of Delhi, Calcutta, Bombay and Madras, then we can make a comparative study and try to find out where the fault lies with the DTC and how to reduce the expenses and effect economy.

Now I will say a few things about the port of Calcutta. With a view to help Bangladesh we have recently agreed to draw less than 40,000 cusecs of water from the Farakka Barrage. Farakka Barrage was constructed to save the port of Calcutta from silting. Due to the draw of lesser quantum of water, the desilting process will be hampered. The accumulation of silt at Calcutta port will again go up. Therefore, I will like to know whether

the Government has arranged for any special dredging operation side by side. Unless this is done the conditions at Calcutta Port will deteriorate. The income of the Calcutta Port is continuously going down. Twenty years ago Calcutta was the second biggest port in the Commonwealth. But today it occupies the 6th position among the Indian ports. The merchandise that used to pass through Calcutta port is now being diverted to other ports. Out of 40 Shipping companies only six are located in Calcutta at present. This has in turn affected the employment potential. The improvement in maritime trade during the last 20 years has not brought any benefit to the Eastern Zone of our country. If you go through the Merchant Marine Directory, 1974 you will find that in January 1974 the number of people employed from Calcutta in merchant ships numbered 11,96, against that, the number of people taken from Bombay was 11,271, i.e. almost 10 times more people were employed from Bombay. About the income from repairs to ships the picture is the same. In 1972-73, the income from repairs to ships at the ports on the Eastern Coast was Rs. 0.88 crores. During the same period the income from ship repairing at the ports on the Western Coast was Rs. 5.61 crores i.e. almost 5 times more. This situation should be remedied and the Centre has a responsibility in this matter I will request the hon. Minister to ponder why the income is going down. He should see how the income of the Calcutta Port can be augmented. If the repairing work, at least, can be increased then some employment opportunities can be provided to the people of Calcutta. We should remember that out of 8 million educated unemployed on the employment registers, about 2 million are in West Bengal alone. That means 1/4th of the educated unemployed in the whole country belong to West Bengal. This is a very alarming situation.

One more point, Sir, and I will conclude. In the strategic road development programme of 1971, it was envisaged that a road will be constructed

[Shri R. N. Barman]

from Dakkhola to Hilli via Raiganj Kaliganj, Baniadpur, Gangarampur and Balurghat. The portion between Dakkhola and Raiganj was constructed and the work was halted there. The portion from Raiganj to Hilli has not been constructed. Now, the Centre says that further work would be taken up by the State Government. But the financial position of the State Government is weak. Since this road has strategic importance, I will request the Central Government to complete this project. Sir, the stretch of the National Highway No. 31 between Maldah and Raiganj is in very poor condition. If proper attention is paid to the repair to this stretch of road, it will greatly benefit the vehicular traffic on that road. Since it is not possible at present to construct a railway line between Balurghat and Maldah via Lashkarhat due to financial constraints, I will request the hon. Minister to construct a road at least connecting the above places. This road will greatly cut the distance between Calcutta and Balurghat which is a district headquarter and facilitate communications between the two places. Being a border road along Bangladesh this has further strategic importance. I will therefore again urge upon the Minister that this Balurghat-Maldah road via Lashkarhat may be taken up and completed by the Central Government. I support the demands of the Ministry of Transport and Shipping and with that I conclude.

SHRI C. M. STEPHEN (Muvattupuzha). Mr Deputy-Speaker, Sir, I rise to support the Demands. In the matter of national development, shipping will have an increasing role to play. With the long maritime coast that we have, with the expanding foreign trade that we have, we have to attain the goal of self-sufficiency in all sectors of economic life. It is of absolute necessity that in the field of shipping, India attains a place of absolute pre-eminence. It is with this goal in view that in the Fifth Five Year Plan, schemes were drawn up and targets were fixed. The targets

covered improvement of the ports, improvement of the berthing facilities, expansion of the tonnage under the Indian fleet, development of training facilities of sea-men, the entire field has been sought to be covered and we are making some advances in different areas also. But the fact remains that eight million tonnes of shipping that was fixed as target when we framed the Fifth Five Year Plan, we are even now lagging behind by around 4.5 million tonnes. Two more years are there for the completion of the Fifth Plan and it looks unlikely that we will be able to reach the figure that we have thought of. There are two questions. On what basis and under what calculations was it that the Planning Commission and the Shipping Ministry postulated 8 million tonnes as the reachable target? And if the target fixed by the Planning Commission and by the Shipping Ministry was a realistic target, what exactly have been the factors which inhibited the raising up of our tonnage to that limit. Either our calculations have misfired or some factors might have intervened. As far as I could see, no major factor which could not be anticipated at the time of framing of postulation rolls up subsequent to it. Now, anyway, an effort has got to be made.

One important point that I would like to make is that we are at a stage of take off as far as shipping development is concerned. Major problems we have, but those problems have got to be met also. A large number of problems are coming up before us and taking in view all these problems, proposals have been made before the Ministry by the National Shipping Board with which I had the occasion to be associated, that an in depth enquiry has got to be done for evaluating, prospecting and placing a comprehensive report before the Government. The problems and the challenges are multifarious. We have got to face foreign competition on the one hand, and the shortage of shipping facilities on the other. We have got the shortage of finances for assisting the expansion of



shipping and problems about the sailing facilities. We have to take into account the immensity and multifarious character of these problems. The National Shipping Board which is supposed to be an advisory body at a high level, had recommended to the Government 3 or 4 years back, that there must be a committee. The Government considered it and rejected it tentatively. The Board, under another chairman, considered this matter again and recommended, again, that this must be done. The Board, of which I was the chairman, considered the matter again and made the recommendation that there must be a comprehensive committee. The Board is a high-level body, with representations of the MPs. elected by this House—5 or 6 of them. It consists of the heads of the departments, Ministries, representatives of the work-men and representatives of the shipping interests; as such it is a very high-level body. It should be made use of. Under the Merchant Shipping Act, the Board has a major role to play. The Board repeatedly makes a representation that in the interests of the shipping industry, an in-depth and comprehensive look is absolutely necessary. If that Board, for which an Act was formulated, is an important body, it should be taken seriously. When the Board with three different constitutions successively recommend that it is absolutely necessary, it is wrong if the government takes up an attitude that it is a matter which can be ignored. If that were so, I would humbly ask why exactly is a body like this set up? I have gone through the entire Report. I do not find any mention even about the existence of the Board. This is not an attitude which you must bring to bear on a body with such representations like representatives from this House—six in number. My own experience as the chairman of the Board is that no policy question was referred to it for ascertaining its opinion. No opinion or recommendation given by the Board was ever taken seriously. No head of the department who was a member of the Board ever cared to attend the meetings of the Board. This

is the attitude of the bureaucratic machinery to a body consisting even of MPs. Is this to be the attitude in an era when we speak about democratic functioning and involvement of public opinion? Can you possibly have a body which could be more representative than this, as far as the different interests of the shipping industry are concerned? This Board is re-constituted as a matter of routine. Chairmen are being re-appointed. I can say this freely as I have resigned from the chairmanship. This experience should not be repeated. There is no word about it in the entire Report. You are spending money on it. If you do not want it, why keep it as an ornament? You can dissolve it; but if you want it and if you want to go through the farce of this electing 6 members from here, you should take it seriously. One more subject, i.e. about the super-tanker berth at Cochin. Here is the report wherein I find projects with allotments to the tune of Rs. 20 crores, Rs. 40 crores and Rs. 60 crores. Anyway, Mr. Bhattachia, my friend, is the Chairman now of the National Shipping Board. Don't take that Board lightly. Please take care of any recommendation that it might make.

**THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON):** The day I assumed office, I attended your valedictory meeting.

**SHRI C. M. STEPHEN:** That is why I emphasize this. I thought that now that Dr. Dhillon is the Minister and now that Mr. Trivedi who was a member of the Board is in charge of it—he knows what contribution the Board can make, I will tell this. You should make the best use of the Board. You cannot have a forum where all things connected with shipping can be collected as in a crucible. At the same time, if you are ignoring the Shipping Board in vital matters, why have it at all?

Coming back to the super-tanker berth in Cochin, this was sanctioned in 1973. It had to go through a long

[Shri C. M. Stephen]

and laborious and painful labour pain before it was sanctioned. After the whole thing was sanctioned, subsequently, Engineers India Limited was appointed. It gave a report of a project costing Rs. 43 crores, which was approved. Out of that the net expenditure for the Government, for the Central treasury, will be Rs. 25 crores. The rest is made up by reclamation and sale of land. With an expenditure of Rs. 25 crores you can develop the entire area. The super-tanker berth comes in and the entire Cochin port area develops. This was accepted after detailed consideration. Now somebody gets a very bright brain-wave, saying that alternative transshipment is possible in the deep sea and so we have to consider whether that can be resorted to. For that a new committee is going to be appointed. A committee has gone into the whole thing, the whole report was sent to the Shipping Corporation, Admiral Nanda went into the matter, he reported the matter back finally and now, in the year of Grace 1976, after three years have gone, the Government have decided to appoint a committee, representing the Ministry of Finance, Ministry of Transport and Shipping, Ministry of Planning and the Ministry of Petroleum to go into the whole thing.

I am humbly making this submission. When Government takes a decision finally and you go ahead with it, if somebody gets another idea of transshipment, even if it is feasible—under the Heaven many things are feasible—you cannot go on like that. It is not merely a question of a super-tanker berth; it is not the only thing. Along with that, you are developing the entire area; a new Cochin is developed. Rs. 50 crores worth of development takes place. While your investment would be only Rs. 25 crores, and that Rs. 25 crores also, according to some estimates, will be paid back by the Cochin Refinery in a period of four years.

When that investment has been sanctioned, why re-open the whole thing? Merely because it happens to be a State which is small, which does not have a large political will, merely because it cannot shout as forcibly as is done in the case of some other States....

MR. DEPUTY-SPEAKER: In spite of Mr. Stephen?

SHRI C. M. STEPHEN: That is not shouting, but bawling out. In the case of all other projects, once they are sanctioned they go through but, in this case alone, a sanctioned scheme does not go through, because it relates to Cochin.

DR. G. S. DHILLON: After all, it is a super-tanker. The ideas behind it should also be super-ideas.

SHRI C. M. STEPHEN: Super-ideas also should not remain mere ideas. They should materialise.

Before I sit down, may I raise my voice in support of lakhs of workmen who are engaged in the sailing vessels? This is a sector which we cannot ignore. There is a large number of workers in the sailing vessels, uncared for, completely neglected, who perish without any insurance cover. They are sheer human chattel. Some thought has to be given to them. Since the sailing vessels have got a significant part to play in the development of the coastal trade of this country and in the trade with the Near East, this sector has to be looked into.

With these words, I support these Demands.

की दुर्गा उद्धार (अलपारिबुद्धी) :  
 मैं इस संसदन की मांगों का इश्वर से  
 समर्थन करना चाहूँ। मेरे पिछले अलपारि-  
 बुद्धी से हाईवे नम्बर 31 जाती है जो कि  
 कावाकाटा तक जाती है वहाँ से आगे



मिलतुरसा नदी पड़ती है। फालाकाटा से मिलतुरसा तक स्टेट गवर्नमेंट की पक्की रोड है। मिलतुरसा से सोनपुर चौपाटी तक स्टेट गवर्नमेंट की पक्की रोड है। सोनपुर से वह आगे जाती है। मगर मिलतुरसा में अभी तक ब्रिज नहीं बना है। भुक्ते पता चला है कि इसके लिए डेढ़ करोड़ रुपए की मंजूरी हो गई थी, लेकिन अभी तक वह पुल नहीं बना है। मंत्री महोदय बताने को कोशिश करें कि इसका क्या कारण है। यह उस एरिये के लोगों को जबरदस्त मांग है। इसके लिए प्राइम मिनिस्टर को मेमोरैंडम भी दिया गया है। वह पहाड़ी प्रचल है, इस ख्याल से यह हमारी जबरदस्त मांग है कि इसको जल्द से जल्द बनाया जाए।

मैं अधिक नहीं बोलना चाहता हूँ, लेकिन फिर निवेदन करना चाहता हूँ कि वह पहाड़ी प्रचल है। उस नदी पर पुल जल्दी बनना चाहिए।

**श्री मूल चन्व डागा (वाली) :**  
उपाध्यक्ष महोदय मैंने इस मंत्रालय की रिपोर्ट की पहली लाइन पढ़ी जो बहुत अच्छी लगी। वह यह है :—

“Transport plays a very important role in the economic growth of a country. A well-knit and co-ordinated system is considered to be the life-blood of the nation's commerce and industry.”

लेकिन जब मैं इस सारे रिपोर्ट को पढ़ता हूँ तो मुझे मालूम होना है कि आपकी क्या प्रोग्रेस है। यूनाइटेड स्टेट्स में 100 स्क्वायर किलों मीटर में 64 किलो मीटर जोड़ लैव है, यूनाइटेड किंगडम में 146, फ्रांस में 143, वेस्ट जर्मनी में 167, स्विट्जरलैंड में 139, जापान में 272 और इंडिया में यह 24 है। यह आपकी

रोड्स की हालत है। इतने कम रोड्स आपके यहां बनी हैं इसका कारण यह है कि आप ने कुछ करने वाले नहीं हैं, केवल हुक्म देने के लिए आप ढाई करोड़ खर्चा लेते हैं। आपका डिपार्टमेंट कुछ करता नहीं है, जो डिपार्टमेंट काम करता है, वह तो स्टेट गवर्नमेंट का काम करता है।

मैंने आपकी अडिट रिपोर्ट 1973-74 कंट्रोल एंड आडीटर जनरल की पढ़ी इस रिपोर्ट से मालूम हुआ कि आपके डिपार्टमेंट ने ढाई करोड़ खर्चा बिना मतलब के आ दिया है। यह ग़रब काम ने स्टेट गवर्नमेंट करते हैं। आप जो कवन सैन्शन करनी पड़ती है। आप इंकित सका देखिए आपको बड़ा आश्चर्य होगा। आपको यहां से किसी रोड के लिए मंजूरी देने में 16 महीने लगते हैं। इस रिपोर्ट के पेज 18 पर लिखा है—

Minimum and maximum time taken by the Ministry to sanction major road works costing Rs. 25 lakhs each in the Fourth Plan.

यह शर्म है जो आप कंजूम करते हैं।

रोड और ब्रिज बनाने का काम स्टेट गवर्नमेंट करती है आपने 21 करोड़ की एक बड़ी सौफिस्टीकेटेड मशीनरी मंगा रखी है, उसकी क्या हालत है? उसका कभी उपयोग नहीं होता है। आप देखिए कि 21 करोड़ रुपए की सौफिस्टीकेटेड मशीनरी यों ही पड़ी रखते हैं, उससे कोई काम नहीं लिया जाता है।

गवर्नमेंट आफ इंडिया ने मशीनें मंगवा ली और उन्हें स्टेट गवर्नमेंट के पास भेजता है। स्थिति यह है कि काम एक करता है, और मंजूरी दूसरी



[श्री मूल चन्द डागा]

देता है। स्टेट्स के चीफ इंजीनियर कहते हैं कि यह काम हमारे सुपुर्द कर दिया जाए। लेकिन सेंटर से कहा जाता है कि नहीं, हम ज्यादा एक्सपर्ट हैं। इस बारे में कहा गया है:

"Utilization of the imported and the major items of machinery worth Rs. 21 crores did not exceeds, 40 per cent of the available working hours; often it was 10—20 per cent only. In some cases, the machinery which was allocated to the State Government could not be put to proper use for the following reasons."

मशीनरी पड़ी हुई है। मंजूरी सांडे सोलह महीने के बाद दी जाती है। आखिर यह पावर स्टेट्स को क्यों नहीं दी जाती है? यहां के इंजीनियर स्टेट्स में जाकर जांच करते हैं। आसाम और राजस्थान के चीफ इंजीनियर बैठे हुए हैं, लेकिन मंजूरी यहां के इंजीनियर देते हैं। ब्रिज की मंजूरी तेरह साल के बाद दी गई है। भगवान रक्षा करे। कंट्रोलर एंड आडिटर जनरल को रिपोर्ट को पढ़ने से पता चलता है कि यह डिपार्टमेंट ढाई करोड़ रूपया सिर्फ इस लिए खर्च करता है कि स्टेट गवर्नमेंट्स को पैसा दिया जाए।

यह बीस साल की बात है।

It is not a question of today.

इस बारे में कहा गया है:—

"The biggest irritant at present seems to be the Octroi duty. The industry is not against paying this tax but the manner in which it is collected at present. Thousands of truck hours are daily wasted by waiting at octroi and other check-posts...It also increases the fuel cost substantially, at least by 30 per cent according to our estimate."

डा० दिल्ली ने अपने भाषण में कहा है कि मैं पंजाब में ट्रांसपोर्ट मिनिस्टर रहा हूं और मैं इन बातों को जानता हूं। श्री चिब्रेदी ने भी बड़े जोर का भाषण दिया, जो अखबारों में छपा है।

कमेटी ने आगे कहा है:

"The Committee regret to note that although number of committees including Road Transport Taxation Enquiry Committee have emphasised the immediate necessity of abolishing these check-posts and octroi duties by substituting them by an alternative form of taxation and there is a general consensus on the desirability of removing Octroi duty".

लोग कह रहे हैं कि हम परेशान हैं। लेकिन गवर्नमेंट कहती है कि हिन्दुस्तान के लोग परेशानियां उठाने के अभ्यस्त हो गए हैं। मिनिस्टर साहब को कहना चाहिए कि मोटर इंड्रियर आक्ट्राय देने के आदी हैं, इस लिए उनकी यह आदत नहीं छूट सकती है।

जहां तक शिपिंग का सवाल है, कमेटी ने कहा है:

"The Committee, however, regret to note that the coastal shipping in the country is on the decline and the amount of cargo traffic has fallen from 40.77 lakh tonnes in 1962 to 14.72 lakh tonnes in 1974."

जहां पर 40 लाख था आज 14 लाख चल रहा है। यह हालत है। आप देख लीजिए इसकी क्या हालत हो रही है।

आपके शिप्स कितने चल रहे हैं।

"The number of ships has gone down from 140 in 1964 to 56 in 1973 and the tonnage has gone down from 4,11,961 to 2,20,217."

15.09.77

तो मैं आपसे कहना चाहता हूँ कि यह जो काम आप के हाँ रहे हैं इसकी जिम्मेदारी कौन लेता? इसकी जिम्मेदारी बहोने सकता है, जो इस काम को बराबर देखे। ट्रामपोर्ट में घाटा है। अब धार की डी टी सी है, जिसको आप चला रहे हैं, इसमें बाधों नहीं कराड़ों का घाटा है और गाड़ियाँ कितनी खराब रही हैं—2232। दिल्ली में 2232 गाड़ियाँ आप की चल रही हैं और उसमें 24 करोड़ खर्चा लगा हुआ है? उसके अंदर घाटा कितना है..

"The net loss suffered by the Delhi Transport Corporation during the year 1972-73 is Rs. 4.98 crores and in 1973-74, it is Rs. 8.38 crores"

It is improving; they are making a progress

यह प्रोग्रेस हो रही है। अब की कितना घाटा हुआ है—7 करोड़ कुछ खर्चा का। यह भी प्रोग्रेस है। इनको गाड़ियाँ आप चलाने हैं शहरों में, इनको शहर वालों को क्यों नहीं दे देते? इनमें इतना घाटा, मबबन ट्रेन्स में घाटा। शहरों के लिए धार इनका घाटा उठाते हैं और माबो के अंदर सड़के नहीं हैं। गाड़ों की हालत गिगडी पड़ी है लेकिन कौन जानता है? 80 परसेंट पापुलेशन जो बोलने वाली नहीं है, वह आवाज करना नहीं जानती इसलिए उनका लिए कुछ नहीं है और यहाँ का लोग आवाज करना जानते हैं इसलिए यहाँ यह सब चल रहा है। हमारे यहाँ राजस्थान में तो बड़ी ऊँट आवाज भी चल रहे हैं, न कोई सड़क है न गाड़ियाँ हैं। ऊँट ही वहाँ चल रहे हैं। और यह डी टी सी की ऐडवाइसरी कमेटी क्या है ग्लिचकमिस्ट्रि आफ 34 मेम्बरस? मैं यह आपसे जानना चाहता हूँ यह क्या काम करती है।

इन्ने सालों से इनमें गाड़ियाँ खराब हैं। उनको रिपेयर करवाना कोई नहीं पाएगा का निपटारा देखिए।

"The Committee would accordingly suggest that the Government should give serious thought to the problem and evolve without any delay a coordinated machinery capable of curbing effectively those indulging in different types of economic offences in the import and export trade. That the existing machinery is not effective will be clear from the fact that during the last three or four years, only one case of malpractice in respect of jute consignments enroute from the mill to the Calcutta Port for export was detected."

यह कनकता ट्रामपोर्ट की बात है। उसमें आपकी इनकी मशीनरी कसब है। उन्होंने बताया कि कराड़ों खर्च का घाटा उसमें है। तो ये काम कैसे चलेगें जिसमें खर्च आपसिस्ट्रि अवर मॉटर में अंडर ग्राफी कान कने वॉल पार्जवटिव के लय है? धार इनको डिमेंटलाइज करिए। धार ग्रेड्स की पावर को दे दीजिए। स्ट्रेम खर्च प्लान बनाकर काम चलाए तो होगा। नह तो खर्च खर्चा उसमें खर्च हो रहा है।

SHRI SUBODH HANSDA (Midnapore): Mr. Deputy-Speaker, Sir, we are discussing today the demands for grants relating to the Ministry of Transport and Shipping. If you look at today's paper, Statesman, you will see that nine persons have died in a road accident.

Now, the road accidents, particularly on the national highways, are gradually increasing. On the National Highway No. 6, which goes from Calcutta to Bombay, and on G.T. road, every day you can see a number of accidents happening on

[Shri Subodh Hansda]

that road. I want to know from the Government why these accidents are increasing day by day, taking the lives of so many people. Today, travelling by road has become insecure due to so many reasons. I want to know from the Government why it is allowing the running of liquor houses—whether it is country liquor or foreign liquor—on the sides of the national highways. There are not only liquor houses but there are also some small hotels which have come up along the sides of the national highways, and all the hotels are selling country liquor. The drivers particularly the heavy truck drivers, take the liquor and, in an intoxicated condition, they drive the vehicles. This is one of the reasons why accidents are increasing day by day.

Another thing is the hijacking menace which goes on every day. We have read in the papers that in West Bengal and in many other places, that a number of trucks have been hijacked. Some time back, on National Highway No. 6, the passengers were looted, trucks were looted, and the truck owners closed the roads just to get rid of this menace and to bring it to the notice of the Government. Unfortunately, though there is the Highway Petrol Police, the patrolling is not done properly, and that is why this hijacking is going on. I hope the Minister will take care of these things so that at least during night time the drivers can drive their cars or trucks safely from one place to another.

Now, this Haldia Port is coming up. I have seen in the report that Rs 43 lakhs have been sanctioned for constructing the road from Kolakhat to Haldia. But for a long time, there have been missing links which have not yet been constructed. The Haldia Port project is now nearing completion and it is going to be commissioned very soon. So, unless this road is constructed, there will be a lot of difficulty in transporting coal to the

Haldia port—and we are thinking of exporting coal from the Haldia port. I would therefore request that this road may be constructed as quickly as possible.

Now, there are other roads also. I have not seen in this report a mention of the O.T. road, which is a narrow road connecting Calcutta and Bubhaneswar by the shortest route. This road is still narrow. This is a very important road and it must be taken up just to make the distance from Calcutta to Bubhaneswar shorter. There is no mention of it here in this report and there is no mention also, of any bridge across the river Suvarnarekha, over which the road lies. Unless there is a plan for a bridge and the bridge is constructed over the river Suvarnarekha, the O.T. road cannot be constructed from Calcutta to Bubhaneswar. Therefore, there must be some planning for the bridge on the river, Suvarnarekha.

Regarding this road transport, Mr. Daga said that most of the State Road Transport Corporations are losing concerns. I do not know why public sector undertakings, particularly, road transport undertakings, are losing concerns. When private concerns can make profits, I do not see any reason why State Road Transport Organizations should be losing concerns. The Central Road Transport Corporation which has been set up long back is now running at a loss for the last few years. Now, this organization has no sort of business. It is serving all the public sector undertakings, particularly, transporting foodgrains, fertilisers, coal and other things from one place to the other. In spite of all these things, this Central Road Transport Organization is running at a loss. In this report no reason has been shown for the losses it is sustaining. Therefore, we want to know from the Minister why such things are happening.

Many things have been said about the Calcutta Port. But, in this report, only the name has been men-

tioned and that too within brackets as Haldia Dock Project. No problem has been mentioned in this report, whether Calcutta Port itself has got many problems, and it is full of problems. Calcutta Port is almost in a dying condition. Siltation is going on for a long time and it is going on heavily. To save the Calcutta Port, the Farakka Barrage was conceived. The Farakka Barrage is also not able to give any result. Now, the Central Dredging Corporation is also continuing the dredging but the silt which is depositing heavily cannot be removed. As a result, big draft ships which are likely to come inside the Calcutta Port cannot come inside. Therefore, Government must seriously think and take necessary steps to prevent siltation of the Calcutta Port which is serving a big hinterland starting from U.P. and Bihar and on the eastern side, Assam, Meghalaya and other States. This will create a problem, not only an economic problem but other problems also. At the same time, this Haldia project is also coming up. It will be commissioned very soon—that is what the report indicates. But we do not know how soon this project will be commissioned. Some foreign firms were given contracts for dredging the Haldia port area and their contracted period was over and now no dredging is going on—and if the Government intend to make the port a deep draft port which will go upto 40 ft., and if the silting will continue, the whole attempt of the government to make it a deep draft port will be frustrated. Therefore, I would suggest that the dredging of this port must continue.

There is another thing. Much water has flowed regarding a ship-building yard. Expert committees were appointed. Preliminary project reports were made. But I would say that the Government should look at the problems of West Bengal.

As my friend has already indicated, out of 9.5 million educated unemployed people who got their names registered with the Employment Exchange,

2 millions are from West Bengal. The number is gradually going up. If you do not tackle this problem of unemployment in West Bengal, we will have to face a bad situation. This problem of unemployment can be solved by putting up some projects like Ship Building Yards. The yards must be located at Haldia because Haldia has got its own advantages and that is why I say there is great justification for the shipbuilding yards to locate at Haldia.

With these words I support the Demands for Grants.

**THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI):** Mr. Deputy Speaker, I am grateful to you for having allowed me to intervene in this debate at this stage. I would not go over the whole picture which has been presented in the Ministry's report, but I would deal only with some of the points which have been raised in this debate.

In so far as dredging at Calcutta is concerned, the Central Government has accepted the responsibility for a number of years. In fact 80 per cent of the cost incurred in Calcutta dredging is being borne by the Central Government.

In so far as river training works are concerned, in order that Calcutta may continue to maintain draughts which are necessary for all vessels which are likely to come there, river training works have also to be undertaken.

In so far as ship building is concerned, we have, in fact, something like four yards. Mazagon Docks has a capacity of building vessels upto 20,000 tonnes; Garden Reach 35,000 tonnes. Vizag has already been building at the rate of 3 vessels a year but we hope that in the near future Vizag should be able to attain a capacity of being able to deliver something like 4 vessels. Besides that, members are

[SHRI H. M. TRIVEDI]

already aware that the keel of the first vessel has already been laid at the Cochin Shipyard. Cochin Shipyard Project is practically coming to completion and it should be capable of building vessels upto 80,000 tonnes.

With regard to new shipbuilding yards, I do not want to repeat the answers which have already been given in answers to several questions in this House. A techno-economic group examined something like 11 sites which were proposed by the Maritime State Governments and recommended four possible sites. Those possible sites are Hazira in Gujarat, Qulavangam in Goa, Haldia and Paradip. Since then foreign technical consultants were appointed. They have also reported and the reports of the foreign consultants is under consideration.

SHRI P. G. MAVALANKAR (Amedabad): For how long will Government go on considering it?

SHRI H. M. TRIVEDI: I had an occasion to answer previously that these are very large projects which involve very large finance and, therefore, it is not merely the receipt of the technical report which determines approval of the project.

A reference was made by my friend Mr. Stephen to the Super Tanker Oil Terminal Berth at Cochin. It is quite true that a great deal of consideration was given to the project. It is also true that it had reached let us say at least the technical stage of approval. The Cochin Super Tanker Oil Terminal Berth is related to the expansion of the refinery at Cochin. The extent of expansion has to a large extent been determined but it is not yet final. Secondly, the Super Tanker Oil Terminal Berth at Cochin would, even if it had been progressed with, would have been mono-commodity berth. Thirdly, some remarks were made about the possibility of transshipment of oil from a large tanker

to a small tanker. It may seem rather odd to some members but it is true that this method has been adopted abroad. This method has already been tried by us—from large shipping corporation tankers to small tankers in safe waters near Salaya, something like five to six experiments have already been conducted.

However, the most important point to note is this. The consideration of this matter in its final stages has come to be related with the possibility of Bombay High Oil being supplied to Cochin Refinery. If Bombay High Oil is to be supplied to Cochin refinery, then, obviously Members will no doubts appreciate the point that transportation is likely to be in such tankers for which no super-tanker oil terminal berth at Cochin would be needed. It is not possible for the Ministry of Shipping and Transport to say how much and at what stage Bombay High Oil will be available. But I thought I could give this information so that hon Members may appreciate the point. Although certain things were technically examined and practically approved, certain newer developments have taken place which, in relation to the cost of such projects, one cannot really ignore. I would leave it at that.

SHRI C. M. STEPHEN: Is there any other new factor, apart from Bombay High Oil, which has come up? All the other matters which existed at that particular time would have been taken into consideration when approval for the scheme was accorded. Therefore, my question is this. Now, apart from the Bombay High Oil, is there any other new factor which has arisen just now to warrant another look being given?

SHRI H. M. TRIVEDI: I have already referred to the distinct possibility of transshipment of oil from large to small tankers.

SHRI VAYALAR RAVI: They are always trying to avoid super-tanker



berth. He is trying only to justify certain action taken by the Ministry. From the very beginning it was opposed by some people in the Ministry.

SHRI H. M. TRIVEDI: I have only given what are the new considerations which have come to be applied to the project, so that hon. Members will appreciate the position.

Shri Mohammad Ismail referred to ILO recommendation regarding minimum wage for seafarers and its application to Indian seafarers on board Indian ships. The ILO recommended a minimum wage of 48 pounds. As far as we are concerned in this country, we have got bipartite machinery available which has been set up by the Government. In this regard, we have recognised both the unions at Bombay and at Calcutta so that they can offer their views on behalf of seafarers and the association of shipowners, Indian and foreign, for employers views. Their bipartite association in the National Maritime Board is helpful in fixing the wage applicable to Indian seafarers. But there is one thing which I would like to make clear. We cannot contemplate a situation in which the level of wages of Indian seafarers would be totally out of tune with the level of wages prevailing throughout the country. We cannot also under pressure from such forces, as may have in fact advised Shri Mohammad Ismail, allow any international workers unions to pressurise us into acceptance of a so-called academic minimum wage. We have this bipartite machinery with us. This machinery is there to take care fully of the interests of seafarers.

The hon. Members will be interested to know, the differential in pay directly paid to the Indian seafarers and the international minimum wage is presently being paid into our Fund for the seafarers welfare by foreign shipowners. The seafarers welfare fund has been set up and operated by a registered society and Government is in the process of considering certain welfare scheme for the Indian sea-

farers. I would, therefore, say that Government is taking fullest care in the case of Indian seafarers. There is one other aspect, which, I think, we should note also. We have, something like, a total registered strength of about 60,000 seafarers of which something like 30,000 obtain employment in foreign vessels and only about 20,000 obtain employment in the Indian vessels. The level of wages of the Indian seafarers would, therefore, directly affect employment potential on foreign flag vessels. For our seamen, we are, therefore, anxious to maintain that employment. We have set up a machinery for that purpose.

Then, Sir, certain references were made to Inland Water Transport, I could just correct the figures. The India seafarers are about 40,000 in number and only about 3,000 of them obtain employment on the Indian flag vessels. Coming back to the reference made in regard to the inland water transport, to the extent to which this Ministry can help and to the extent to which the Ministry can progress, we take note of some of the recommendations which were made by the Bhagwati Committee in that direction. However, again, I must repeat that the general impression which has been left by the report of the Bhagwati Committee is that this country is naturally endowed with a number of inland waterways which can be put to use for the transport of goods and passengers immediately without any major capital expenditure on dredging and bringing them into use. That, I think, is not correct. Bringing into use some of the riverways for the inland water transport needs is likely to require considerable amount of capital expenditure. And, for that, it is not certain that the cost of transport through inland water transport will, in fact be cheaper than all other modes of transport which have developed. As you know, as far as rail and road transport is concerned, the development is considerable over the years. Therefore, it is a question of compa-

(Shri H. M. Trivedi)

rative costs of capital expenditure that we may have to incur by bringing into use the inland waterways which have fallen into disuse for so many years after considerable work on dredging. Sir, I do not think there are any other problems which were referred to by any hon. Member in relation to our shipping or inland water or seafarers.

So far as ports are concerned, I think I might mention here that we have practically one major port in every maritime State in our country. The Members are also aware of the kinds of ships visiting or likely to visit our ports and the kind of exports which we have to make, namely, the bulk exports of ores and so on; there are major schemes in hand at Haldia, at Madras, at Vizag and at Marmugao.

There was a reference made with regard to Marmugao port. Every effort is being made to complete it. Very recently we have had a complete report about that; and on the basis of that report, the work is going ahead at Marmugao and we are hopeful to complete the work. Of course, there has been a slippage in the scheme of Marmugao and we should be able to make up some of the time which has been lost already.

SHRI B. V. NAIK (Kanara): Will the hon. Minister put in a word with regard to the minor port like Karwar which seems to have been most neglected?

SHRI H. M. TRIVEDI: After all, there may be only few minor ports in our country. The responsibility is particularly that of the State Governments in the matter of development of minor ports. Development of minor ports rests with State Governments. However, I would refer to the fact that in the Fourth Five Year Plan, there were certain centrally-sponsored schemes. The Central Government did sponsor certain schemes for the development of minor ports. All those schemes—about four schemes—did make a progress. But, the Planning

Commission had taken the view that as from the beginning of the Fifth Five Year Plan, the entire responsibility for the development of minor ports and the finances for it should, in fact, be that of the State Governments. The Planning Commission, in fact, provides... (Interruptions).

SHRI JAGANNATH RAO (Chhatrapur): If it is spillover of the Fourth Plan, how did the State Governments come in?

SHRI H. M. TRIVEDI: The hon. Member is perhaps quoting a scheme which was in the Fourth Plan—a spillover—and, in fact, no work was done about that.

SHRI JAGANNATH RAO: It is not correct to say that no work was done. Some work was done, for example, with regard to Gopalpur.

SHRI H. M. TRIVEDI: Except for the survey, I do not think anything was done. However, we continue to press the Planning Commission to accept the spillover schemes. I think that covers the ground that I wanted to cover.

15.30 hrs

#### COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

##### SIXTY-FIRST REPORT

SHRI RAJDEO SINGH (Jaunpur): Sir, I beg to move:

"That this House do agree with the Sixty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 31st March, 1976."

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Sixty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 31st March."

The motion was adopted.



15.30 hrs.

**RESOLUTION RE. CHANGES IN THE CONSTITUTION—Contd.**

**MR. DEPUTY-SPEAKER:** We now take up further consideration of the following Resolution moved by Shri K. P. Unnikrishnan on the 30th January, 1976:

"This House taking into consideration the experience of the working of the Constitution of India during the last twenty-five years and confronted with the tasks and challenges of social reconstruction, is of the opinion that significant changes are called for in the constitutional framework of the country. The House, therefore, urges the Government of India to initiate constitutional amendments particularly in the nature of property rights and to secure meaningful realisation of the principles enshrined in the Preamble and the Directive Principles of the State Policy of the Constitution keeping intact the supremacy of Parliament, the federal structure and legitimate rights of the minorities, the Tribals, Harijans and other submerged sections of our population."

On the last occasion Shri Suryanarayana was on his legs. He has taken two minutes.

**SOME HON. MEMBERS:** Sir, the time allotted for this Resolution may be extended till 6 p.m.

**SHRI H. N. MUKHERJEE** (Calcutta—North-East): Sir, I have the resolution immediately following. My Resolution has been waiting for the last fortnight. If it is not moved then...

**MR. DEPUTY-SPEAKER:** There are certain rules which we have adopted. If time is extended in respect of the Resolution under discussion then the next Resolution will not lapse. I think the House will keep

in mind and allow Mr Mukherjee to move his Resolution.

15.32 hrs.

[SHRI BHAGWAT JHA AZAD is the Chair]

**SHRI K. SURYANARAYANA** (Eluru): Sir, the other day a senior advocate of the Supreme Court and also a senior Member of this House, Shri Frank Anthony, said that so far as the Resolution was concerned, it was better drafted. There is no difference of opinion also as regards the first part of Shri Unnikrishnan's Resolution, that is,

"This House taking into consideration the experience of the working of the Constitution of India during the last twenty-five years and confronted with the tasks and challenges of social reconstruction, is of the opinion that significant changes are called for in the constitutional framework of the country."

I think there will not be any difference of opinion so far as this part of the Resolution is concerned and this is the opinion expressed by our senior advocate colleague also.

One more senior Members and ex-Minister of Law said:

"He agreed that the Constitution required a fresh look, at the same time exploration about those areas where it had shown faulty working, exploration of the area of judicial review ensuring that different organs of the Government and the different constituent units and the different states worked within their others, should also be made. We must ensure that there should be proper, smooth and harmonious functioning of the different elements in the Government and there should be no conflict between the judges and our parliamentary or executive authority. In the written Constitution, the expression parlia-

[Shri K. Suryanarayana]

mentary supremacy had to be understood in a proper context. It must mean that Parliament and the different State legislatures must be armed with all the powers for the purpose of achieving what part IV of the Constitution set for them".

There is a feeling in the country even among people without any knowledge of law, in the common man, that there must be amendments to the Constitution, there must be a change in the Constitution. They have different opinions about the changes to be made. We want to impress this on the Government, on other parties and other gentlemen also who are not happy with the Constitution as it is. We will sit together and decide how to do it, how it should be done, how it should be amended. That is the only thing. Whether it should be done by Parliament or by a Constituent Assembly or by going to the polls on this issue is a different thing. We will see about it.

Even the Bar Council, of which Shri Anthony might be a member, wants changes in the Constitution. In the Bar Councils' Convention they passed a resolution on the 28th March in which they also urged that 'suitable provisions be made in the Constitution to say that fundamental rights shall not come in the way of implementation of the directive principles of state policy, and primacy shall be given to the directive principles of state policy in interpreting the laws'. The resolution also suggested that some articles of the Constitution conferring powers on the court 'may also have to be suitably amended'. That is the thing. The Bar Council themselves have agreed on this. So there will not be any dispute about the general opinion of the Mover and also the members who have spoken already. There is a necessity for change. The Constitution was framed 25 years ago. The

framers took enormous pains. They said that the best in the world's constitutions had been incorporated in it in those days. Now changes have come about. Days have changed. We have amended the provisions about property rights and State rights. There is no question of any property right as such now. Shri Sen also spoke about this. We agree with that. There must be some limit on property also. Now there is no limit. We have put a ceiling on land holdings by individuals. Why do we not introduce a ceiling on property also, on income also? Why are Government hesitating to put a ceiling on incomes? That is the feeling in the country. So it may be incorporated in the Constitution also. A man should not have property or income above a certain limit. I was told in communist countries they are allowed to save money and deposit it in banks. Unless it is my property, who will take care of it? But there must be a limit to it. Any ordinary man must have some property. A labourer who lives in his hut must also feel that the hut belongs to him. Shri Jayaprakash Narayan also started with *Bhoodan*, after some time there was *gram dan*, after that there was *sampathi dan* and then *jivan dan*, sacrifice of one's life for the country. These slogans will go on like this.

What I want to impress on Members is that the ownership of property must be limited. This is my pen. If it is not my pen, who will care for it? If it is lost and the watchman finds it, to whom will he give it? The pen is mine, the property is mine. But it must be limited. It may be one lakh or two lakhs.

This is the only thing. We accept the principles and ideas expressed by other friends. I am quoting only experienced judicial people. Recently a judge of the Supreme Court, Justice K. K. Mathew said this:

"Judges must remember, Justice Mathew said, that shaping the future

law was primarily the business of the legislature. Tolerance and humility in the judgement on the experience and beliefs expressed by those entrusted with the task of legislation should become a decisive factor in constitutional adjudication. Even if their personal views run counter to the legislation before them, they should not attempt at improving society by setting up their judgement against conscientious effort of those whose primary duty is to govern."

We are making the laws and the government is to govern on behalf of parliament. We have elected the Prime Minister and the Chief Ministers and entrusted them with that work. Similarly, the government appoints judges and we can change them if necessary. We do not want to revolt against judgements. Even if there is difference of opinion about some law, it can be amended; it is only subject to the wishes of the people; the laws are for the benefit of the people and they can be amended for the benefit of the people. In this context, I want to support the Resolution. In the last 25 years our experience of the working of the constitution has made us feel that some changes are needed so that any impediments that stand in the way of improving the lot of the common man might be removed. Now about the dowry system. The other day it was suggested that the law should be made accordingly. It should go. If girls are given hereditary property-rights, it will be a step in the right direction. Now-a-days socialism is on paper; we read about that. In the old days, at the time of marriage, they were not demanding; people did or gave according to their ability and conditions. In my childhood days, in the villages when there was a marriage, all the relatives and friends used to present one or two rupees each so that the marriage expenses could be met. That was socialism really speaking. Now, they are writing on paper and we are reading in

books. So, there is no difference of opinion about the need for amending the constitution. The point is: in which way, in what manner it should be done. It should be done for the benefit of the entire country, as well as other countries also because they are all neighbours. So, I want to support it. The Prime Minister said several times that there was no need for wholesale amendment. Therefore, I fully support the resolution, subject to these observations.

MR. CHAIRMAN: Before I call on the next speaker, I have to say that I have a list of 18 members before me; the number had doubled within five minutes; I hope it will not treble in another five minutes. The hon. Minister says that he will take about 15-20 minutes and the hon. Mover, Shri Unnikrishnan, about 15 minutes. That means that the other Members can have only six minutes each. Please do not force me to ring the bell thrice; at the end of five minutes, one bell; at the end of the next minute the next bell; and I will call the next speaker; otherwise I cannot accommodate all the 18 members who want to speak.

SHRI D. K. PANDA (Bhanjanagar): Sir, the main question is: in what direction the Constitution has to be amended. It has to keep pace and be in conformity with the changed times and situation, in our country. I shall begin with a quotation from a British jurist, Lord Denning who said in a memorial lecture in Bombay: "Like other laws, constitution also has to change to meet the needs of a developing society." Ours is a developing society. "Society cannot remain static and so also statutes cannot remain static while the world is progressing ahead." This is what he has said.

Ours is a confrontation between the people's aspiration and the judgements that were delivered in the Courts. Ours is also a confrontation between the reaction and the progress. Now, the question is when the confrontation is

[Shri D. K. Panda]

going on we have to see that the confrontation is resolved in favour of progress, in favour of the weaker sections of the society. That is the basic question. Here, I would only put one question. After Golaknath case, we have carried out 24th Constitutional amendment. Then, who prevented our country, our Government from taking radical measures by amending the Constitution and also certain measures for eliminating poverty and certain measures to curb monopoly? What we need is the political will. Now, under socialism so much of talk is going on. In the Directive Principles it is embedded that socialism is our national objective. That being so, democratic socialism is not of an utilitarian type. If we do not keep in view that concept, that will take us to self-reliance, that will take us to democracy and to the next stage towards the socialism. That is the only yard-stick to measure this. Now, Mr. Unnikrishnan has not made any reference to the 20-point programme because constitutional changes are to be made to guarantee the implementation of the 20-point programme.

There are hundreds and thousands of cases pending in Orissa High Court, Patna High Court and in West Bengal High Court also. The figures regarding pending cases in Calcutta High Court have come out. Now, even a sub-tenant has to contest upto the High Court, first. Later on he has to contest in the Supreme Court. So, what I would suggest is that the provisions contained in the three Articles of the Constitution are the main things that would lead us to socialism. About that there should not be any confusion. Socialism is not confused. We are confused about socialism. Those who are confused about socialism should have a clear understanding and things should move accordingly.

SHRI C. M. STEPHEN (Muvattupuzha): Tell us what your clear understanding is.

SHRI D. K. PANDA: If I am given enough time, I can deliver a lecture on this.

MR. CHAIRMAN: You complete your points.

SHRI D. K. PANDA: Articles 32, 326, and 327 deal with land laws and wherever cases of land ceiling laws arise, they take shelter under these articles. We must put an end to this. This is No. 1. My second point is that as far as other Articles are concerned, that is about monopoly of capital, they should be amended because they deal with the fundamental right to property. This right should cease. Then only we will be able to curb the monopoly.

MR. CHAIRMAN: Your time is over Shri Vayalar Ravi.

SHRI K. P. UNNIKRISSHANAN (Badagara): Sir, we can sit upto 6.30. This is an important resolution.

MR. CHAIRMAN: I do not accept that. Now I have got the list of Members who are sitting here to speak on this.

SHRI D. K. PANDA: I have not finished, Sir.

MR. CHAIRMAN. I have called Shri Vayalar Ravi. Only five minutes.

SHRI VAYALAR RAVI (Chirayinkil) Sir, I have no time to trace the whole history of the evolution of the Indian Constitution but I shall fail in my duty if I do not point out that the whole content of the freedom movement which was based on economic independence of the country. I would like to quote what Shri Jawaharlal Nehru said in 1928, when the freedom movement was gaining momentum:

"We may demand freedom for our country on many grounds, but ultimately it is the economic one that matters. Our educated classes have so far taken the lead in the fight for swaraj, but in doing so, they have seldom paid need to the needs of the masses."

This was one of the basic pictures which was in the mind of Shri Jawaharlal Nehru even during the days of the freedom movement. Even in those



days, there was a conflict in the Indian society between two sections—those who believed in the principles of socialism and those who were in favour of the *status quo*. This is also clear from the resolutions passed by the Indian National Congress from time to time.

The Indian Constitution is the product of a compromise between two sections who had conflicting interests and as a compromise, two things were accepted—fundamental rights and directive principles. The vested interests were clever and they cheated the people by providing that whereas fundamental rights had sanction of the State and they could be enforced through the judiciary, directive principles did not have the same sanction and they were not justiciable. I would like to quote again what Shri Jawaharlal Nehru said in this very House in 1952. In 1950, the Patna High Court, thinking that the Indian Constitution was so sacrosanct, ruled that the progressive legislation for zamindari abolition was against the fundamental rights relating to Property Right in the Constitution. Later, the Allahabad High Court also held the same view and this forced Shri Jawaharlal Nehru to move an amendment in this House to the Constitution. He said in 1951:

"The real difficulty which has come up before us is this. The Constitution lays down 'certain Directive Principles of State Policy. We agreed to them after a long discussion and they point out the way we must travel. The Constitution also lays down certain Fundamental Rights. Both are important. The Directive Principles of State Policy represent a dynamic move towards a certain objective. This Fundamental Rights represent something static; their object is to preserve certain rights which already exist. Both again are right. But sometimes it might so happen that the dynamic movement and the static concept do not quite fit in with each other."

"The basic defect has been pointed out by Jawaharlal Nehru. The basic ques-

tion is: Why we have freedom? The freedom is not to starve or to die. That is why our Prime Minister, Shrimati Indira Gandhi, said: "Quit poverty. So far poverty exists, we cannot find a meaning for the freedom of India." When we are fighting against poverty, we can see the fundamental rights coming in the way.

If you permit, I can quote Jawaharlal Nehru in order to show how this defect exists:

"The essential difficulty lies in the fact that the whole conception of fundamental rights is for the protection of individual liberty and freedom. That is a basic conception and to know where it was derived from, you have to go back to the European history in the latter days of the 18th century roughly speaking, from the days of the French Revolution on to the 19th century."

Since the time is short, I do not want to quote it full. I agree that judicial review is necessary and it can be done. But it must have some base. In this connection, Justice K. K. Mathew has said that the judiciary is inevitable but it should not be the personal opinion of the judge.

Before concluding, I would like to quote Mahatma Gandhi. It may clear a wrong notion about Congress as somebody believe that Mahatma Gandhi had asked to dissolve the Congress.

"Indian National Congress, which is the oldest national political organisation and which has after many battles fought her non-violent way to freedom, cannot be allowed to die. It can only die with the nation. A living organism ever grows or it dies. The Congress has won political freedom, but it has yet to win economic freedom, social and moral freedom. These freedoms are harder than the political, if only because they are constructive, less exciting and not spectacular...."

[Shri Vayalar Ravi]

This is the task of the Congress to lead the country to socialism on the principles of Jawaharlal Nehru and Mahatma Gandhi and the fundamental rights should not have any upper-hand over the directive principles and the basis of the progress is the Directive Principles of State Policy.

SHRI K. P. Unnikrishnan: Sir, you should think of extending the time of the House by half-an-hour.

MR. CHAIRMAN: I cannot extend the time. The rules do not permit it.

16.00 hrs.

SHRI DINESH CHANDRA GO-SWAMI (Gauhati): Mr. Chairman, since the time at my disposal is very short, I would deal only with one point relating to the supremacy of Parliament. On this point, there cannot be any doubt viz. that Parliament being the forum in which the people's aspirations are expressed, in a democratic country, it must play the supreme role. I am not entering into a debate as to whether the Constitution is supreme or the people are supreme. Leaving it aside, Nobody can dispute that in a parliamentary democracy, Parliament must have the supreme right or authority make laws for the good of the people. Everybody says that Parliament is sovereign, to prepare the laws. But when I look back to my own experience during the last five years, it appears to me to be the greatest need of the country. The Executive brings up laws before us, we discuss and pass them. But ultimately the court frames the laws. If you look at some of the most important laws as they emerged after scrutiny by the courts, you will always find that the court has deviated from the interpretation which we had wanted to give to the law in question. The Constituent Assembly had passed a Constitution, which the people adopted. It was then said in clear terms that Parliament will have the right to amend any part of the Constitution. Unfortunately in Golak Nath's case, this right was cur-

tailed; and it was said that we cannot curtail the fundamental rights; but it did not try to go into the views of the founding fathers of our Constitution. I quote from what Mr. Jawaharlal Nehru had said when he wanted to assert the supremacy:

"The Free India will see the bursting forth of the energy of a mighty nation. What it will do, and what it will not, I do not know. But I do know that it will not consent to be bound down by anything. Some people imagine that what we do now may not be touched for 10 or 20 years. I should like this House to consider that we are on the eye of revolutionary changes, revolutionary in every sense of the word, because when the spirit of a nation breaks its bonds, it functions in peculiar ways; and it should function in strange ways. It may be that the Constitution that this House may frame may not satisfy the Free India. This House cannot bind the next generation; and the people who will duly succeed us in this task."

So, it was clear that Mr. Nehru, with his vision, could realize that when the energy of this nation, the spirit, breaks its bonds, nobody can bind the nation for all times to come, with a Constitution which is either unalterable or in part unalterable; but unfortunately we find the Golak Nath case. But thereafter we re-asserted and said, "No; in spite of Golak Nath case, Parliament has the sovereign right to amend all the parts; but again, in the Keshavananda Bharati case too, we found the court saying that we cannot amend the basic structure. I do not know what the basic structure means. What my father might have considered to be the basic structure, I do not consider to be the basic one today.

MR. CHAIRMAN: You have taken four minutes.

SHRI DINESH CHANDRA GO-SWAMI: Allow me to develop at least one point, Sir.

**SHRI K. P. UNNIKRISHNAN:** You can give 5 minutes to each Member.

**MR. CHAIRMAN:** Mr. Unnikrishnan, that will come to mean an additional half-an-hour, I mean giving 5 minutes each. It will mean our sitting up to 6.30 p.m. I assure you

**SHRI DINESH CHANDRA GO-SWAMI:** We should be allowed to develop at least one point.

**MR. CHAIRMAN:** It is unfortunate, sitting in the Chair. What can I do? (Interruptions)

**SHRI K. SURYANARAYANA:** I want to propose that we extend the sitting by another hour. We will sit; what is the harm?

**MR. CHAIRMAN:** If we extend by one hour, do you know how much time you will get? Anyway, let the House decide. This sort of thing cannot go on. Will all the Members who are here, sit to the end? Will they commit? What do you say, Mr. Deputy Whip? It is surprising. Even otherwise, it will come to 6.30 p.m. What can I do?

**SHRI DINESH CHANDRA GO-SWAMI:** I want to develop only one point.

**MR. CHAIRMAN:** It depends on how you develop your point. Now, don't speak. 5 minutes are up now. Next speaker, Mr. Daga.

**SHRI DINESH CHANDRA GO-SWAMI:** After all, this is a debate.

**SHRI K. SURYANARAYANA:** Can we not request you to extend the time of the House to-day?

**श्री मूलचन्द्र डागा (पाली) :** सभापति जी, एक बात जरूर है कि समय के साथ अनुषंग और समाज का वातावरण भी बदलता है और उसके अनुसार हमें चलना चाहिए। एक बात यह है कि संविधान में परिवर्तन होना चाहिए और इसके लिए मैं माननीय सदस्य से,

जिन्होंने यह रेजोल्यूशन मूव किया है, यह चाहता था कि वे इस संबंध में एक बिल कांफ्रेंट शीप में लाते। मैं ऐसा समझता हूँ कि उनके दिमाग में इस के बारे में पक्कर साफ नहीं है।

सभापति जी, हिन्दुस्तान में हरेक आदमी आज ऐसी बात कहता है कि वह संविधान में परिवर्तन चाहता है। गंदी खुशी की बात है पर वह परिवर्तन क्या चाहता है और कैसा चाहता है, यह मालूम नहीं है। आज हर एक आदमी प्रोग्रेसिव बनना चाहता है, प्रगतिशील बनना चाहता है और चांद तक पहुंचना चाहता है। आज हम बहुत तेजी से प्रगति करना चाहते हैं। जिन्होंने संविधान बनाया है, उसके अनुसार तीन चीजें मुख्य हैं। एक कार्य-पालिका है, दूसरी न्यायपालिका है और तीसरा लेजिस्लेचर है। आप की जो यह संसद है यह कानून बनाने का कांस्टीट्यूशन बनाने का काम करती है। ये नीतियाँ अपना काम कर रही हैं लेकिन हम ने कुछ निर्देशक सिद्धान्त भी बनाए हैं और हमारी जो मूलभूत अधिकारें हैं, उस के अनुसार हम ने अपने सिद्धान्त बनाए और उन के अनुसार हम हिन्दुस्तान को आगे ले जाना चाहते हैं। इस के साथ ही साथ हम ने यह भी कहा कि ये हमारे मूलभूत अधिकार हैं, उन को हिन्दी में मूलभूत कहें या मौलिक अधिकार कहें ; (अव्यवधान)

**सभापति महोदय :** मूलभूत ठीक है। अगर कोई हिन्दी ठीक से न समझे, तो क्या किया जाए। अगर किसी को भाषा नहीं आती है, तो हम कुछ नहीं कर सकते। 'मूलभूत' शब्द ठीक है।

**श्री मूल चन्द्र डागा :** धन्यवाद, सभापति जी। अब मौलिक अधिकारों के कारण अगर हम अपने निर्देशक सिद्धान्तों को प्राप्त नहीं कर सकते, तो यह सोचने की बात है कि



[श्री मूल चन्द्र डागा]

क्या करना चाहिए। आज 28 साल के काय भी जो आप के डाइरेक्टिव प्रिंसिपल हैं और जिन को स्टेट्स को लागू करना या और जिन के आधार पर देश को आगे बढ़ाना था, वे पूरे नहीं हुए। 10 साल के अन्दर एजुकेशन दे देनी थी, वह हम नहीं कर पाए। हम को डिस्पेन्ड्री कम करनी थी, वह नहीं कर पाए। एक आदमी और दूसरे आदमी के बीच में जो अन्तर है वह आज भी है। इस के लिए हम केवल संविधान को दोष नहीं दे सकते। मैं यह नहीं कहता कि संविधान के कारण हममें रुकावट आई है।

अब एक बात और चलती है। उधर के बैठने वालों को कोई बात अच्छी नहीं लगती है तो वे दो, चार गालियां दे देते हैं और यह समझते हैं कि उन का काम पूरा हो गया। न्यायाधीश क्या करते हैं? न्यायाधीश केवल एक बात करते हैं कि जो कानून बनता है, संविधान के आधार पर उस की जांच करत है और लोग यह सोचते हैं कि वे कानून का दुरुपयोग करते हैं। वे अपनी तरफ से कानून ठीक नहीं कर सकते हैं। अगर कानून ठीक नहीं कर सकते हैं अगर कानून की वजह से कुछ रुकावट आती है तो उन में आप को परिवर्तन करना चाहिए।

SHRI VAYALAR RAVI: How did Patanjali Shastri and Subba Rao come into conflict? That is the basic point.

MR. CHAIRMAN: I would request hon. Members not to interrupt, because each Member gets only five minutes. Let them be allowed to make their points.

श्री मूल चन्द्र डागा : पार्लियामेंट में इतने मेम्बर बोलते हैं, यह जरूरी नहीं कि सब के विचार एक न हों। हिन्दुस्तान के कुछ लोग बेस्टेड इन्टेलिजेंस की बात करते हैं और कहते हैं कि हम देश को बढ़ाना चाहते हैं। मैं कहता हूं कि देश को

आगे बढ़ाने में, देश को समाजवाद की ओर ले जाने में जिन जिन से भी रुकावट पैदा होती है, उन सब रुकावटों से हमें बचना है। संविधान में इसके लिए जो भी आर्टिकल परिवर्तित करने की आवश्यकता है, जितने भी आर्टिकलों में परिवर्तन करने की आवश्यकता है, मेहरबानी करन उन सबमें परिवर्तन को जिए।

सभापति महोदय : डागा जी बस हो गया, अब आप बैठिए।

SHRI B. R. SHUKLA (Bahrajch): I support the resolution moved by Shri Unnikrishnan.

The socio-economic conditions obtaining in the country are persistently clamouring for radical change through legislation, although such legislation may have the effect of curtailing the fundamental rights guaranteed under Part III of the Constitution. The changes may be desirable, but the question is whether under the rule of interpretation placed by the Supreme Court, this House is competent to effect those fundamental changes which are necessary.

Mr. Gokhale brought an amendment to article 13 stating that law passed in exercise of the constituent power under article 368 is not law within the meaning of article 13. That point has been upheld by the Supreme Court, but in Keswa Anand Bharati's case it has been clearly laid down that the basic features of the Constitution are not amenable to changes in exercise of article 368. Therefore, there is a perpetual conflict between the view taken by this Parliament and the view taken by the judiciary.

Every year Government comes with certain amendments by inserting legislations in Schedule IX. That is an ever expanding immunity umbrella. Whenever there is difficulty with the courts, Government rushes to Parliament to put the impugned legislation in that Schedule. My submission is that this will not do. Let us once and for

all decide who is the supreme and sovereign power in this country, whether a few intellectuals, however eminent they may be, sitting in an ivory tower, very objective in their outlook, are nearer the wishes, aspirations and feelings of the people, or those who have been returned to this House on the basis of adult franchise, though they may be lay men and not be sophisticated in their outlook, since this Parliament is more representative in character than the Constituent Assembly which framed the original Constitution. This deadlock, this basic question has to be resolved once and for all and no deviation or subterfuges to avoid a conflict with the judiciary would meet the ends of justice.

At the moment, thousands of writs against the ceiling laws passed by the various States are pending in the different High Courts, and the whole matter is pending determination. By the time five years of this House lapses, this legislation will not be implemented. Therefore, the writ jurisdiction of the courts should be curtailed drastically.

Then there is the question of the suspension of liberty. This part of the House which stands for the curtailment of the right of property is very jealous of the protection of the rights of civil liberties. My submission is that when the paramount interests of the State require it, there should be a curtailment of the right of civil liberty as enjoined in article 19. Therefore, Government should initiate a discussion on the desirable changes in the Constitution.

There is one more thing. The laws which are passed by this Parliament are not sometimes really laws passed by the Parliament, but they are laws prepared by the Secretariat and the seal of approval is given by this Parliament. This Parliament intervenes in the matter only when the question of validity of any legislation is being challenged in the High Court or in the Supreme Court. Therefore, there should be proper discussion and proper scope for exchange of views among the Members of Parliament

before any change is effected in the Constitution.

श्री कचता बिज 'मधुकर' (केसरिया)  
श्री उन्नीकुण्डान् ने आज उस प्रस्ताव को यहां रखा है जिस पर सारे देश में चर्चा हो रही है, जो सारे देश में चर्चा का विषय बना हुआ है। वह विषय है कि संविधान में किम किम तरह रु संशोधन किए जाएं। आज इस प्रस्ताव को लोक सभा में लाकर उन्होंने बहुत ही सही काम किया है। मबाल यह है कि हमारा जो वर्तमान 'संविधान है वह देश को जो आर्थिक, सामाजिक आदि जरूरत हैं उनको पूरा करना है, ग्राम आदमी को जो जरूरतें हैं, उनको पूरी करना है, देश को समृद्धि में, देश के विकास में सहायक होता है? यही सब चीजें हैं जो इस संविधान में निहित हैं। मबाल यह है कि क्या यह उनकी पूर्ति करता है या नहीं करता है? मैं समझता हूं कि यह उनकी पूर्ति नहीं करता है। देश को आवश्यकताएं इस बात की मांग करती हैं कि समूचे रूप से यहां से सामन्तवाद का खान्दा किया जाए। उनके खान्दों में यह जो संविधान है यह बाधक मिट्ट हो रहा है। साधन मिट्ट नहीं हो रहा है। हम लोगों को किसानों का खेतीहार मजदूरों का, भूमिहीनों बड़ाईदारों का अनुभव है, वे किन परिस्थितियों में काम करने हैं उनका अनुभव है। आज बड़ाईदारों के केमिम भ्रष्टानतों में मन्त्री राज्यों में हजारों की संख्या में चल रहे हैं लेकिन उनके निर्णय नहीं हो पा रहे हैं। कानूनी झड़ने रास्ते में खड़ी कर दी जाती है। अगर हम वर्तमान व्यवस्था में से सामन्तवाद का सफाया नहीं कर सकते हैं तो मैं समझता हूं कि यह गलत बात होगी। संविधान अगर इसके रास्ते में बाधक है तो उसको बदल दिया जाना चाहिए। देश की प्रगति में अगर वह बाधक है तो संविधान में परिवर्तन होना चाहिए। देश में जनतन्त्र का जो आधार है, जनतंत्र का जो

### [श्री कमला मिल 'मधुकर']

फैलाव है अगर वह उसमें बाधक है तो उसको बदल दिया जाना चाहिए। हमें यह देखना होगा कि जनतंत्र का फैलाव हो रहा है या संकुचन हो रहा है। मैं समझता हूँ कि संकुचन हो रहा है। इस चीज पर हमको ध्यान देना चाहिए।

गांव में रहने वाले किसान खेतिहर मजदूर, हरिजन, आदिवासी तथा दूसरे लोगों को जो अधिकार मिले हुए हैं आज संविधान की वजह से उन अधिकारों की रक्षा नहीं हो पाती है। वे लोग कोर्ट में चले जाते हैं। वहां पर वे गरीब घमसाय आदमी मुकदमा लड़ नहीं पाते हैं। इस मामले इनको न्यायालय नहीं मिल पाता है। इस दृष्टि में भी तथा इनके हितों की रक्षा करने के लिए भी संविधान में जिन परिवर्तनों की आवश्यकता हो उनको किया जाना चाहिए।

राइट टू प्रापर्टी का जो अधिकार है वह आज भी बना हुआ है। इसकी वजह से जमींदारी, पूंजीवादी, माहूकारी व्यवस्था पनप रही है। इस पर प्रकृश लगाना होगा। इसके लिए अगर संविधान में संशोधन करने की आवश्यकता हो तो वह किया जाना चाहिए। जनतंत्र के प्राधान्य को मजबूत करने के लिए, उसको बढ़ाने के लिए संविधान में परिवर्तन लाया जरूरी है।

आज आवश्यकता इस बात की है कि सेक्युलर फॉर्मिज को बढ़ावा मिले। धर्म के नाम पर जो लोगों की भावनाओं को है, उस पर रोक लगे। धर्म के नाम पर लोगों को सहूलियतें मिली हुई हैं। उसकी आड़ में देश में फासिस्ट फॉसिस्ट पनप रही है, राइट रिप्रेजेंट भी देश में आज पनप रहा है, उसको बढ़ावा मिल रहा है। संविधान ऐसा होना चाहिए कि राइट रिप्रेजेंट पर

रोक लगाने में यह सफल सिद्ध हो, भ्रष्टाचार, संश्रयीय ताकतें जो हैं, उनको समूल नष्ट किया जा सके। जो मोनोपोलिस्ट हैं, जो बड़े बड़े पूंजीपति हैं उन पर रोक लगनी चाहिए। डाक्टरेक्टिव प्रिंसिपल जो हैं उन में यह कहा गया है कि धन का केन्द्रीयकरण नहीं होना चाहिये। लेकिन हमारा अनुभव क्या कहता है? अनुभव यह कहता है कि टाटा, बिड़ला आदि जो बड़े बड़े पूंजीपति हैं उनके परिवारों में धन का केन्द्रीयकरण हो रहा है। यह सब संविधान की व्यवस्थाओं के ठीक विपरीत हो रहा, विपरीत हो रहा है, डाक्टरेक्टिव प्रिंसिपल के ठीक विपरीत हो रहा है। मोनोपोली का विकास हो रहा है। इस सब को रोकने में संविधान असफल सिद्ध हुआ है। इस मामले उसको बदला जाना चाहिए। नव उद्दिष्टवाद को समर्थन हो रहा है। उसको रोकने में संविधान सफल सिद्ध नहीं हो रहा है। इसलिए भी उनको बदला जाना चाहिये। जिस संविधान में देश में प्रशासन का वर्गोकेमी का विकास होता है, प्रशासन का विन्द्रीयकरण नहीं होता है, मेरा खयाल है वह भी जो संविधान में डिफेक्ट है, इसलिए नहीं होता है और उस दृष्टि से भी डिफेक्ट को दूर करने के लिए कार्यवाई होनी चाहिये और संविधान में परिवर्तन किया जाना चाहिये।

संविधान में न्यायपालिका को जो अधिकार दिए गए हैं ऐसा देखा गया है कि उस की वजह से जो महत्वपूर्ण बिज हमने पाम किए हैं उनको भी उमने लागू होने नहीं दिया है। दट इज ए मैनेम। उस मैनेज को रोकना जरूरी है। न्यायपालिका के अधिकारों को हमें सीमा में लाना पड़ेगा। पार्लियामेंट की सुप्रीमेसी की व्यवस्था करनी पड़ेगी। न्यायपालिका संसद के उपर न रहे। ऐसी व्यवस्था होनी चाहिये जिससे मजदूरों को जो समस्याओं हैं, जो उन पर गड़बड़ है उनको हल करने के लिये ट्रिब्यूनल की स्थापना हो ताकि कामूनी अदालत पैदा

न हो और मजदूरों के विचार हल किए जा सकें। संविधान में ऐसा संशोधन होना चाहिये ताकि जनतंत्रीय अधिकारों का विकास हो सके।

इसलिये संविधान का दिशा-परिवर्तन होना चाहिये और एक ऐकी-क्यूडल-सामन्त-वाद विरोधी, एंटी मोनोपलिस्ट, साम्राज्यवाद विरोधी ग्रन्थ-राष्ट्रवाद विरोधी और फासिज्म विरोधी और सामप्रदायिकता विरोधी व्यवस्था होनी चाहिये जिसके जरिये देश में समाजवाद की प्रगति हो।

नये समाज की स्थापना के लिये, नये जनतंत्र को धोपिन करने के लिये संविधान में परिवर्तन करना लाजमी बन गया है, सरकार इसको टाल नहीं सकती है। देश की मांग है, जमाने की मांग है, इसलिये मैं चाहता हूँ कि संविधान में संशोधन होना चाहिये।

SHRI SATYENDRA NARAYAN SINHA (Aurangabad). Mr. Chairman, Sir, the time at my disposal is very short. I find it very difficult to say all that I want to say. So, I will be very brief. I will just skip over some of the points.

Firstly, the main thrust of the Resolution appears to be that the mover of the Resolution wants judicial review of the enactment passed by Parliament or the State Legislature to be removed. The Government has also disclosed its mind. The Law Minister, Mr. Gokhale, has already made a statement to this effect that there should be a parliamentary machinery to decide about the constitutionality or validity of enactments passed by Parliament or the State Legislature and that there should be no judicial review. He has said that the courts should only decide whether the Parliament or the State Legislature has exceeded their powers defined in the Constitution.

That is what Mr. Gokhale is reported to have said. From this, we gather that this is the thinking of the Government. It leads to the question whether judiciary should be permitted to function, as it is functioning today, i.e. to go into the validity or the constitutionality of enactment passed by the Parliament or the State Legislature.

The question of sovereignty of legislature has been raised by my hon. friend, Shri B. R. Shukla. In a democratic set-up, the legislature is sovereign within the field demarcated by the Constitution. So is also the judiciary. Neither Parliament nor the judiciary can claim to have more powers than what have been allotted to them or conferred on them by the Constitution. To that extent, the Parliament of India functions in a limited manner. The general view all the world over is for judicial review of, within the limit set by the Constitution, the laws passed by the Parliament. These laws should be reviewed by an organ which is outside the legislature or the executive. That was the view expressed even by Dr Ambedkar. I have no time but I would hurriedly quote the relevant part. He said:

"The executive shall not give its own interpretation of law which is in conflict with the interpretation of the judicial organ created by the Constitution."

Even Pandit Jawaharlal Nehru who has been quoted by my hon. friends here had said that we must respect the judiciary, the Supreme Court and other High Courts and it is their duty to see that "in a moment of passion, in a moment of excitement, even the representatives of the people do not go wrong." This clearly goes against the views expressed by the Law Minister that a parliamentary committee should be constituted to review or to decide about the constitutionality or the validity of the enact-

[Shri Satyendra Narayan Sinha]

ments passed by the Parliament or the State Legislature.

After all, what is parliamentary democracy? Democracy envisages that the rule is by majority, but postulates that the opposition also has got a role to play.

As soon as you say that there is a Parliamentary system prevailing here, the Opposition also comes into the picture and it has no less a responsible role to play.

Now, you are blaming the Constitution for lack of progress in the social and economic fields; but the Constitution is not lacking in this respect. You are aware that the Directive Principles embody in them the social and economic rights of the people and they set the path to be followed to reach the goal of an egalitarian society. It is for the Government to bring about measures to change the socio-economic structure of this country. For the last 26 years, this party has been in power, and it is their Govt's failure. But it has become customary with Government that they want to pass on the buck for their failures to somebody else. They have to find scape-goats elsewhere: sometimes the blame the Constitution, then the courts and then they blame the Opposition. They are talking of reviewing the entire Constitution. Yes, do have a fresh look and a review in a comprehensive manner, but in what way? Is it only for the Government Party to do it or should the entire nation have a look at it? In a democracy, the people also have to be educated about the changes we propose to make in the Constitution—and that is not possible unless we initiate a national debate on the question. I am pleading with the Government that they should initiate a national debate and create an atmosphere which will be conducive to the expression of free, frank, fearless, impartial and objective opinion. That is not the atmo-

sphere today: you are having only one side of the picture. If you cannot find any other method, you can convert the entire House into a Select Committee, you can call the representatives of the people, the Bar Council and other associations to give their opinion about the Constitution and the amendments you want to make. You want to do it in this Parliament which is today a subdued Parliament with no Opposition worth the name. Thousands of people are in jail. Unless they are released and opposition leaders are enabled to participate in the national debate, you can not have the requisite atmosphere for free and frank views. But you are not thinking of that. Nobody has yet said that the Emergency powers also should be periodically reviewed. You assumed Emergency powers which may continue indefinitely; they need not be submitted to parliament for a review! My submission is that they should also be submitted for a review, periodic review.

Similarly, with regard to Art. 226, you have been talking about talking away the power of the High Court under Article 226. It is not merely land legislation which is pending before it. You can make a suitable provision there in Article 226 that High Courts would not have powers to issue writs in socio-economic matters; but where the liberty of a citizens is concerned, they should have the right to go into it. Currently the Supreme Court is seized of the matter and examining the question whether the High Court could go into the question of *malu fide* or not when persons are arrested under the Maintenance of Internal Security Act. Sir, the High Courts have that power, and you should not take away their powers merely because it does not take away their powers merely because it does not suit you.

With these words, I do welcome the Resolution, but I say that there should be a national debate and our

people who are in Jail and who are representatives of the people, should also be allowed to participate in the debate to make it more meaningful and purposeful.

**SHRI SOMNATH CHATTERJEE** (Burdwan): So far as this Resolution is concerned, I don't find anything to quarrel about it because it is precatory in nature—it is wishful thinking. So far as the Constitution is concerned, we don't believe in its immutability. Since 1971, this Parliament has been here and, whenever any Constitution Amendment Bill came up, we supported it, except on one occasion when you brought a Constitution Amendment Bill for the purpose of placing one individual or a group of individuals about law. We did not want to be a party to it and were not a party to it, but you have used the amending provision of the Constitution to put some persons above law was that constitutional amendment in the right direction? Do you want such amendments now? The other amendment which the Government has made is to include MISA in the Ninth Schedule. That is your greatest contribution towards the functioning of the Parliament and for maintaining a constitutional set-up in the country! You are putting the Election Laws Amendment Act in the Ninth Schedule. For whose benefit? You have put the Additional Emoluments Compulsory Deposit Act in the Ninth Schedule. For whose benefit? You have not put the Temporary Restriction on Dividends Act in the Ninth Schedule. These are laws which have been given the shield of protection of the Ninth Schedule, which are not for the benefit of the people. Now, the MISA which will not stand the scrutiny of a single day under Article 22 is being given protection of the Ninth Schedule and nobody can challenge. People are being sent to Jail. The Attorney General of this Government is arguing before the Supreme Court. There is no right to live in

this country. There is no right to life. There is no right to liberty. We do not want such changes in the Constitution. We want that you make the Directive Principles as enforceable rights of the citizens of the country. Would you do it, Mr. Unnikrishnan? I have respect for him. He used good English in his speech and made some very relevant quotations in his speech, but I am sorry he has not indicated in what direction he wants changes to be made.

You mentioned about the property rights. You know we are not enamoured of the property rights. But, where is the property right? Article 31 has been amended. Article 368 has now been amended. Kindly enlighten us how you have exercised your powers since 1971 to bring in such measures to do away with the remnants of the property right that might be there in this country. But you have taken away the people's liberty.

Now, one very vital point was made by Mr. Sinha. Now, when people's personal liberties are at stake, it requires a constant review, a review of the emergency powers. From 1962 we know emergency continued till 1968. Then, there was a respite for 3 years, not because of any love for personal liberty but because of the trouble in your own party. Then, only in 1971 when on the promise of the Garibi Hatao you came back to power with a very big majority in this Parliament, the first thing which you removed from this country was personal liberty, in the form of Maintenance of Internal Security Act, 1971. One of the very first Bills that was introduced by this Government. Instead of banishing poverty, you banished personal liberty from this country and that law has now become more and more draconian every day. I am not entitled to know why I am in jail. I am not entitled to know how long I shall be

[Shri Somnath Chatterjee:]

there. I am not entitled to know if the courts can go into this question or not. We do not want such amendments in the Constitution.

Now, the emergency provisions of the Constitution have been used for political purposes. Where is the power to stop it? We see many of the powers are being utilised only for political purposes. The Prime Minister asked for a national debate on constitutional amendments. We, the leftist parties, wanted to hold a rally in Calcutta and we wanted to hold a debate. No question could be discussed in a closed hall. But this government did not allow. The West Bengal Government stopped it under the Calcutta Suburban Police Act. What sort of discussion can there be when the Opposition leaders are not here? You know many of the leaders of the opposition are not here. People are not allowed to say things outside. We cannot hold an open meeting. We cannot hold a meeting inside a closed hall. With whom shall we discuss? You are having your officially-sponsored conferences and we find, as one of the Members, not on this side, said a Division Bench of the Supreme Court goes to the State capitals every week, two of the Judges are going and making speeches. I have got nothing against them. I have high respect for the Judges. They are entitled to have their views. But give this liberty to others also. We are also citizens of this country. We have our own views. Do not think that you have got the monopoly of the interests of the people of this country.

That is the reason we say, do not use these types of provisions, these types of occasions gimmickily. Please do not use this to explain away your failures of the Executive, do not shed crocodile tears for the poor people because they know what you are doing.

I would like to say, do not make everybody a scape-goat for your failures. I have spoken last time that there are many failings in the judiciary which require to be corrected. When a particular provision of the Constitution was there, the judiciary delivered the Golak Nath judgement. But Golak Nath judgement has become dead as mutton. We have nullified legislatively the Golak Nath judgement. But since then, what have you done? Mr. Unnikrishnan, please point out any legislation which has been nullified by the Supreme Court which we wanted since 1971. Please do it objectively. We want betterment of the people of this country. We also want, if any obstacle is created by any provision of the Constitution which leads to non-enforcement of the peoples urges and aspirations or achievement of what we want for the people, remove the fetters. We shall be with you also as we have been in the past except on one occasion as I have told you. Do not try to use them for the purpose of creating an atmosphere through which you continue with the draconian powers. Do not do that.

SHRI C. M. STEPHEN (Muvattupuzha): Mr. Chairman, this House. I am sure will be grateful to Mr. Unnikrishnan for having raised this current issue for discussion on the floor of the House. I do not want to go to the terms of the Resolution because there is nothing very stunning as such. It is the subject that matters. The subject is that the Constitution must be looked into afresh to discover and to discern whether to amend, and if so what should be amended in the Constitution. This idea of amendment of the Constitution to give a new leaf and a new wing came after the Supreme Court gave a judgement: that these fundamental rights cannot be altered. In the Golak Nath case a new dictum was spelt out by Justice Subba Rao that the business of the court is not merely to declare law but to make



law. By the principle of prospective ruling that Bench ruled that no constitutional amendments, in fact not even the ordinary law that we can make, can, by the principle of prospective ruling amend the very basic structure Constitution itself. Now the new ruling has come—that the power exercised by this Court. Under Rule 368 is a constituent power, that in exercise of the constituent power you can amend any Article of the Constitution. But they have put up something new, very dangerous, that the basic structure of the Constitution should not be altered without defining what the basic structure is. Therefore, in exercise of the power of the Parliament, the Damocles's sword is hanging over the head. This has made the amendment of the Constitution vital and the discussion very important. Now if this hurdle is got over, viz., that the constitutional power is abridged and circumscribed by the consideration of the basic structure, then I think remaining is a matter of course. The constitution is flexible enough to meet any contingency and we have amended the Constitution quite a number of times—about 38 or 39 times we have amended the Constitution. Neither super-human has happened. Whenever occasion arose we did amend the Constitution.

Now, about the property rights, we have got here Article 31(b) in which a very momentous amendment has been made that whenever a law, whether it violates the fundamental rights or not be, is put under the Ninth Schedule, it gets the constitutional protection. In fact the fundamental rights have been by-passed to the extent of its inclusion in the Ninth Schedule. Under Article 31(c)—in discharge of the obligations in part 4, namely in the Directive Principles—any law can be passed.

Any law can be passed, if declaration is made to the effect that that is in discharge of an obligation. Then, in spite of whatever may be there in Article 14, Article 19, Article 31, etc.

that law will be valid. This sort of amendment is possible and more things can be brought around it. But, as far as I am concerned, to me it appears, the most fundamental thing in the matter of constitutional structure is the power of this Parliament, its constituent power. Any attempt by the judiciary to circumvent that power is against the progress of the nation. Therefore this discussion has started.

Now, Sir, Mr. Unnikrishnan's Resolution states:

"Keeping in tact the supremacy of Parliament, the federal structure and legitimate rights of the minorities, the Tribals, Harijans and other submargined sections of our population."

If the legitimate rights of minorities, tribals, harijans, and other submargined sections of our population come in there, then, what other things are excluded, I do not know. Now, so far as property rights are concerned, Article 31(b) and 31(c) are there. Further amendment can be done. Any fundamental right can be altered. The power of judicial review is something which needs a very closer look. But one thing is certain that there cannot be any compromise on the principle that the constituent power of this Parliament is supreme. So, there cannot be any compromise on this principle. That is the function of this Parliament and not any court of law. Abrogation by the Supreme Court of that power, as in the dictum of Justice Subba Rao, saying that by prospective ruling, even the Constitution can be amended, cannot be agreed to and there cannot be any compromise on that point.

Therefore, what we should do is to re-establish the supreme authority of the constituent power of this Parliament. That is the essence of the whole matter. Once that is done, then, the Constitution need not stand in the way of whatever progress we want to make. Any Article is amendable. Any Article

[Shri C. M. Stephen]

is changeable. We can go ahead. As far as broad constitutional structure is concerned it is all right. We do not want to change federalism, we do not want to change the republican character; we do not want to change secularism; we do not want to change parliamentary democracy. There is the position of the judiciary subject to the authority of this Parliament, its constituent power, as I have already stated. We can make whatever changes are necessary so that the country can go ahead these principles are spelt out.

Shri Somnath Chatterjee said about personal liberty of persons. The days when personal liberty had no limit was not long past. Under those conditions, what was the condition of masses in this country? What was the condition of economy in this country? Liberty degenerated into licence. Under these conditions, emergency had to be declared. Nobody can dispute that there were emergency conditions prevailing. That is why emergency was imposed. Mr. Sinha spoke about the judiciary. It is the same judiciary which in Shankari Prasad's case said that fundamental rights cannot be changed. It is the same judiciary which later said that it can be changed, it is the same judiciary which said that the basic structure should not be altered. There is nothing sacrosanct, nothing inviolable, immutable about the wisdom of the judiciary.

The collective wisdom, the collective will, the collective verdict and the collective decree of the people is the most sacrosanct thing and there is nothing sacrosanct so far as judiciary is concerned.

Once the judiciary accepts that position, the conflict in this country will be over. If they do not accept it, then such steps will have to be taken to show them their proper place and supremacy of Parliament will have to be reestablished. That is the whole thing in this discussion involving a discussion on the constitutional amendment on this national debate. I support

the principle underlying the Resolution of Shri Unnikrishnan and I wish the national debate may take a turn which should take us to a constructive basis.

श्री नरसिंह काराधरबाई (गोरखपुर):

सभापति जी, जो प्रस्ताव माननीय उन्नीकृष्णन् ने रखा है। मैं उस का स्वागत करता हूँ और उन को धन्यवाद देता हूँ कि उन्होंने ने एक अवसर प्रदान किया इस सदन को और इस देश में ऐसे लोगों को जो कि आज महसूस करते हैं कि विधान का संशोधन होना चाहिये। आज जो सामाजिक और आर्थिक परिस्थितियाँ तेजी से बदल रही हैं और जिस तरह से जन आकांक्षायें लोगों की ऊपर आ रही हैं, उस के लिये जरूरी है कि विचार किया जाय, और इस बात का अवसर प्रदान करने के लिये मैं उन को धन्यवाद देना चाहता हूँ। हम उन के प्रस्ताव से सहमत हो सकते हैं, असहमत हो सकते हैं, लेकिन एक बात बहुत साफ है कि देश में जो आज परिस्थिति पैदा है उस में यह बात स्वीकार करने की है कि विधान पर "डी-नोवो" विचार होना चाहिये और देखना चाहिये कि आज की परिस्थिति के अनुसार हम कैसा विधान में संशोधन करें जो आज की आवश्यकताओं को पूरा कर सके।

जब यह विधान बनाया गया था तो आप जानते हैं कि उस समय हम देश की आजादी की लड़ाई लड़ रहे थे। हमारे देश में बहुत से राजा, नबाब, जमींदार और बहुत से ऐसे लोग थे जो कि हमारे देश में रहते थे। और इस विधान को बनते समय हम ने सारे देश की परिस्थिति, जो स्वराज्य के बाद हमें प्राप्त हुई थी, उस को ध्यान में रख कर अपने देश का एक विधान बनाया था। संविधान विमर्शकों ने जो विधान बनाया उस परिस्थिति को देखते हुए और उस परिस्थिति में जो उस समय हमें सामाजिक और

आर्थिक क्रान्ति लानी थी उस को देखते हुए वह विधान बनाया गया था। आज विधान में संशोधन करने की जरूरत है। अब तक 39 संशोधन उस में हो चुके हैं। इस विधान को जब हम डी-नॉबो बेंच करने की बात कहते हैं तो हम यह नहीं कहते इस विधान में जो मौलिक सिद्धान्त है, या उन की जो व्याख्या की गई है, जो विधान से ऐंग्लिक्यूटिव सेजिस्ट्रेचर और जुडिशियरी की शक्तियाँ दी गई है उन का आज की परिस्थितियों में संशोधन न किया जाय। माननीय ऐम्बोनी संविधान सभा के सदस्य थे, उन्होंने कहा कि बेसिक फीचर हमारा क्या है? उन की समझ में बेसिक फीचर केवल इतना है कि ऐंग्लिक्यूटिव, जुडिशियरी और पार्लियामेंट या काउन्सिल आफ मिनिस्टर्स या जो आज उन से पारस मिलती है, उन के अलग अलग जो काम है, जो उन के अधिकार है, उस अधिकार को समाप्त न किया जाय। वह इसे ही बेसिक फीचर मानते हैं। लेकिन हम बेसिक फीचर मानते हैं संविधान के उस तत्व को जिस के अन्तर्गत इस देश की करोड़ों जनता को रोजी रोटी देने के काम को पूरा कर सके, या जिन को काम की जरूरत है, उन को काम दिला सके, और यह काम हमारा विधान पूरा कर सके। जनता की आकांक्षाओं को पूरा करने के लिये, जनता के सुख शांति के लिये जो काम आवश्यक है उन को पूरा कर सके, इसी को हम बेसिक फीचर मानते हैं।

16.49 hrs.

[SHRI C. M. STEPHEN in the Chair]

अगर माननीय ऐम्बोनी की परिभाषा को लिया जाय इस देश में, तो वो तरह के नागरिक पैदा होते हैं। एक तो वह जो बड़े बड़े स्कूलों में पढ़ते हैं, जिन के लिये किंगडॉम कॉलेज बने हुए हैं, और दूसरे वह लोग जो गांवों में प्राइमरी स्कूलों के पढ़ते हैं, जिन के पास पढ़ने के लिये तन्त्र मौजूद नहीं है जो वेष्ट की आवश्यकताओं को पूरा कर सके।

अगर आज हम माननीय ऐम्बोनी के सिद्धान्त को मानते हैं, और अगर आज छत्र के फंडामेंटल को मानते हैं तो आज यह बात सर्व-विदित हो जानी चाहिए कि आज इस देश में दो तरह के सिटीजन्स को कभी भी नहीं रोका जा सकता है, दो तरह की शिक्षा पद्धति को कभी भी दूर नहीं किया जा सकता है।

श्रीमान् आप जानते हैं कि इस देश में पूजा-रतियों ने, इस देश में आज जो शोषक लोग हैं, उन्होंने अंग्रेजों के समय में जो परिस्थिति पैदा की और जिन के तहत में उन के कामप्रोमोशन के अन्तर्गत हम को एक कास्टी-ड्यूशन देना पड़ा, आज इस देश में आजादी के बाद भी ऐसे लोग हैं जो सोसाइटी बना कर शिक्षा के क्षेत्र में जहाँ हमारे संविधान मौलिकता और समानता का अधिकार दिया गया है, एकमप्लायेशन कर रहे हैं और इस देश में दो तरह के नागरिक बना रहे हैं। हमलिये मैं चाहूंगा कि हम बात को भी ध्यान में रखना चाहिये। अगर इस संविधान को आप सही मानते हैं, अगर इस के प्री-एम्बल को सही मानते हैं, अगर इसके डारेक्टिव प्रिंसिपल्स को सही मानते हैं, तो डारेक्टिव प्रिंसिपल्स, या प्री-एम्बल या फंडामेंटल राइट्स में यह कहीं नहीं लिखा हुआ है कि आज दो तरह के सिटीजन्स इस देश में पैदा किये जायेंगे, लेकिन श्रीमान्, आज इस तरह की परिस्थिति देश में पैदा की जा रही है और यह बात सही है कि आज एक पक्ष ऐसा है जो इस को मानता है और उस रास्ते पर चलने वाले श्री फ्रीक एम्बोनी हैं लेकिन आज की जो सामाजिक परिस्थिति है, उस में हमारे देश का नागरिक उस को स्वीकार नहीं करता है और इसलिये मैं कहता हूँ कि इस कास्टीड्यूशन में बेंच होनी चाहिए, इस कास्टीड्यूशन में बेसिक स्ट्रक्चर बेंच होना चाहिए, इस कास्टीड्यूशन में फंडामेंटल राइट्स बेंच होने चाहिए और राइट्स आफ प्रोबर्टी बेंच होना चाहिये जिस से सही तरीके से देश की परिस्थितियों के मुताबिक जो क्रान्ति आ रही है, उस क्रान्ति को, सामाजिक व्यवस्था को हम इस देश में

[श्री गरीधर गमंगो बोलते हैं]

मैं बहुत ही खुशगुजार हूँ कि बड़े ही मौलिक प्वाइंट पर यह डिबेट हो रही है और उन्नीकुण्ज जी इस प्रस्ताव को इस सदन में लाए हैं और इस प्रस्ताव का जो भी स्वरूप हो, हमारी आकांक्षा है कि इस कांस्टीट्यूशन को भी मोबों चेंज करना चाहिये और इस के स्ट्रक्चर में भी मोबों चेंज होनी चाहिए। हम यह चाहते हैं कि पार्लियामेंट को कांस्टीट्यूट एसेम्बली के रूप में बैठ कर सारी बातों पर पुनर्विचार करना चाहिए ताकि आज की परिस्थितियों में उसे लागू किया जा सके।

SHRI GIRIDHAR GOMANGO (Koraput): Sir, I support this Resolution. One thing is true in life and in the world, that is, 'there is change'. One cannot stop the change and we are changing according to the needs of the society and the condition of the country. I think, Sir, time has come to change the Constitution by which the lacunae which are existing in the acts and regulations or in the Constitution itself can be rectified.

A chair has four legs and like-wise there are four pillars of the Constitution of India, namely, social, economical, political and legal. Out of these four pillars whichever pillar is weak, we have to strengthen that pillar. The Constitution has well-protected the weaker sections. If you go through the Constitution you will find Section 275, a number of Articles and Fifth and Sixth Schedules which protect fully the interests of the weaker sections. The society is changing. Accordingly we should have some changes and there are some conditions which are yet to be changed.

So I think when we change the articles of the Constitution, the weak pillar should be kept in mind. I support this Resolution.

The India of 1947 and the India of 1976 is not the same. If we rightly think that nothing is changing, if we

confine ourselves to the four walls of a house and think there should not be any change, I think we are thinking like the toad in the well.

I will conclude my submission by saying that there is a provision which has yet to be included in the Constitution which will be discussed with the Ministry of Home Affairs, the inclusion of some areas in the Scheduled Areas. Their non-inclusion is coming in the way of the development of the backward communities and backward areas.

So far as officers are concerned, the I.A.S. officers or State gazetted officers have their rights, duties and responsibilities. But what about the representatives? As a representative, I know coming to this House is part of my duty. To go to my constituency is my responsibility. Passing a law or supporting a legislation here is also my duty. But what is the specific duty of a representative and what is the power of the representative? These should be given in writing, that 'this is your responsibility, this is your duty'. Now we are facing problems when we go to our constituencies. I do not know in what way, in which manner, we have to deliver our responsibility.

So I think when the change is coming, nobody can check it. We want a change, specially the younger generation want a change for the better future of the country, for the better future of the younger generation.

17.00 hrs.

श्री भागवत झा बोलते हैं (भागलपुर): सभापति महोदय, प्रश्न यह है कि संविधान किस के लिये है, हम संविधान में परिवर्तन क्यों चाहते हैं? आज इस देश के ऐसे वाले, इस देश के पूँजीपति, इस देश के बड़े बड़े बकीलद, ला पण्डित, जिन्होंने अबाह सम्पत्ति जमाकर ली है, वे इस बात की गलत कहानी फैला रहे हैं कि हम लोग संविधान को तोड़ना चाहते हैं, इसमें सुधार करना चाहते

हैं। मैं स्पष्ट कहूँ कि हम संविधान को तोड़ना नहीं चाहते हैं। इस देश के संविधान ने 28 वर्षों में इस देश को सच्ची परम्परा दी है, इस देश को गणतंत्र दिया है, इस देश को बालिग मताधिकार दिये हैं। इस संविधान में हमारे यहाँ प्रतिनिधित्व का वह रूप दिया जिसके कारण हम सभी वर्ग यहाँ पर हैं। लेकिन आज इस देश में संविधान के नाम पर, सम्पत्ति के अधिकार के नाम पर, ऐसे व्यक्ति हैं जो यह चाहते हैं कि उनके महुलों में और मंजिलें उठती जाएँ और झोंपड़ी वहीं की वहीं रह जाय। हम चाहते हैं कि संविधान में ऐसा परिवर्तन हो जिससे सम्पत्ति का केन्द्रीकरण न हो। हम ऐसा कानून नहीं मानेंगे, न बनेंगे ऐसे जिससे इन महुलों पर मंजिलें और जुड़ती जायें और बगल की झोंपड़ी बराबर रोनी रह जाये। हम संविधान में ऐसा परिवर्तन नहीं चाहते हैं कि सबका प्रापटी राइट छीन लिया जाय, सम्पत्ति छीन ली जाय, भिखमंगा बना दिया लेकिन हम यह चाहते हैं सम्पत्ति के नाम पर इस देश के बड़े-बड़े पूज्यपति, बड़े-बड़े लायर—जो आज संविधान का नाम लेते हैं और जो एक पैसा इकम टैक्स नहीं देते—इस देश के बड़े-बड़े डाक्टर, बड़े बड़े इंजीनियर बड़े बड़े अफसर जिनकी तमाम की कोठियाँ दिल्ली शहर में चमचमायमान हैं, अपनी सम्पत्ति बढ़ाते न जायें। हमारा संविधान इन पर सीमा नहीं लगा सकता है, उसकी इजाजत नहीं देता है। इसलिए हम प्रापटी राइट में परिवर्तन चाहते हैं, उसका संशोधन चाहते हैं। हम यह नहीं चाहते हैं कि संविधान का जो बैसिक स्ट्रक्चर है, उस में परिवर्तन कर दिया जाए। केसवानन्द भारती का कंस तो आप जानते ही हैं उस केस के संबंध में बैसिक स्ट्रक्चर क्या है? यह है कि संघीय शासन प्रणाली है। प्रधान मंत्री ने स्वयं कहा है कि संविधान में इस तरह का परिवर्तन हम नहीं करना चाहते हैं जिससे प्रेजीडेंसल फॉर्म आफ गवर्नमेंट की स्थापना हो। प्रधान मंत्री ने बार बार कहा है कि संविधान

में परिवर्तन अगर कुछ करना है तो यह करना है कि जो हमारा उद्देश्य है, जो प्रीम्बल है, जो डायरेक्टिव प्रिंसिपल है, उनकी प्राप्ति के लिए देश की जनता की राय से कर, यहाँ के लोगों के कंसेंस से, जो कार्रवाई करने की जरूरत है वह की जाए। कंसेंस की बात विरोधी पार्टी वाले भाज कहते हैं। लेकिन वह बात तो प्रधान मंत्री ने बहुत पहले कही थी। हमारे विरोधी पार्टी वाले हल्ला ही करने हैं। कहते हैं कि प्रधान मंत्री आज देश में जनतंत्र को समाप्त करके डिक्टेटोरियल टाइप आफ गवर्नमेंट चाहती हैं, प्रेजीडेंसल फॉर्म आफ गवर्नमेंट चाहती हैं। लेकिन प्रधान मंत्री जी ने स्पष्ट कह दिया है कि ऐसा कुछ नहीं वह चाहती है। हम यह चाहते हैं कि देश में ज्यूडिशरी रहे, म्युनिम कोर्ट हाई कोर्ट, डिस्ट्रिक्ट कोर्ट आदि कोर्ट्स रहे। लेकिन हम यह चाहते हैं कि जिस आर्टिकल के अंडर यह रिट शुरू करने की बात आती है और जिस रिट के नाम पर आज छांटी सी बात भी अगर की जाती है तो उसको करने नहीं दिया जाता है, दारोगा की अगर ट्रांसफर की जाती है तो उसके खिलाफ रिट शुरू कर दी जाती है तो इस तरह की बातें नहीं चाहते हैं। जहाँ कहीं पर जमीन का बटवारा हुआ, गवर्नमेंट ने सम्पत्ति पर सीमा लगाई, जमीन पर सीमा लगाई फौरन हाई कोर्ट में रिट होती है। एक आदमी के पास हजारों हजार एकड़ जमीन रहे उसको पता न हो कि उसकी हद कहाँ तक है, वह खा कर मर जाए, हजारों मन गल्सा उस में पैदा हो उस पर अगर सरकार कानून के अन्तर्गत, प्रीम्बल वाला जो आर्टिकल है, उसके अन्तर्गत, चाहती है कि जमीन पर सीमा लगा दी जाए और वह लगा देती है, और हाई कोर्ट अगर उसके खिलाफ रिट शुरू करती है तो उस रूप में हम उसको नहीं मानेंगे, उस रिट को नहीं मानेंगे। इसलिए हम चाहते हैं कि संविधान में परिवर्तन हो। बागा जी की मैं विश्वास दिलाता हूँ कि हम कांग्रेसजन संविधान को फाड़ कर देश में

### [श्री आनन्द झा-आनन्द]

अन्यथा फैलाता नहीं चाहते हैं। हम कांग्रेस जन देश में चाहते हैं कि जिस समाज-वादी समाज की कल्पना हमने की है उसकी सही मानों में स्थापना हो। प्रधान मंत्री ने जो देश के सामने आदर्श रखा है कि हम गरीबी को हटाना चाहते हैं उस उद्देश्य को प्राप्त करने के लिए संविधान में परिवर्तन हम चाहते हैं। श्री उन्नीकुण्ण ने क्या कहा है? क्या उन्होंने कहा है कि हम यह चाहते हैं कि सारी कोर्ट की पावर को अंदर रिबिजन छीन लिया जाए? आप उनकी स्पीच को पढ़ें। हम तो यह चाहते हैं कि जो आर्टिकल हमारे उद्देश्य के रास्ते में बाधक हैं, उन में संशोधन किया जाए। आज तक जो हमने 39 संविधान में संशोधन किए हैं, वे किस लिए किए हैं? जहां जहां कठिनाई अनुभव हुई उसको दूर करने के लिए ही तो वे किए हैं। जमीन के बंटवारे का जब प्रश्न आया तब हमने संशोधन किया। बैंको का जब प्रश्न आया तो हमने संशोधन किया। क्या संविधान यह है जो कुछ बकीलों ने लिख दिया या श्री पालकीबाला ने सुप्रीम कोर्ट में कह दिया? संविधान को आर्थिक, सामाजिक, राजनीतिक शक्तियों के संघर्ष से निकला हुआ एक अस्तार्वज होना चाहिये, संविधान गंगा की बहती हुई धारा है जिस में हम बराबर उसको बहने दे, उस में किसी प्रकार की रुकावट हम लागू नहीं करते। पालकीबाला, डोलक-बाबा, चमचाबाला आदि तमाम चाहते हैं कि उस धारा को रोक दिया जाए। उसको रोक कर देश के बंद पूंजीपति और भी बड़े पूंजीपति बनना चाहते हैं। इस तरह से वे सम्पत्ति को न कमा सके, यह परिवर्तन हम संविधान में चाहते हैं। हम यह नहीं चाहते हैं कि स्टेट्स की प्राटोमोमी को छीन लिया जाए, संघीय शासन प्रणाली को समाप्त कर दिया जाए, हाई कोर्ट और सुप्रीम कोर्ट न रहे, प्रेजिडेंशियल फॉर्म ऑफ गवर्नमेंट स्थापित हो। डागा जी सुनें कि हम संविधान में ऐसा परिवर्तन नहीं चाहते हैं जिस में वे कोर्ट्स

हटा दी जाएं। लेकिन यह परिवर्तन जरूर चाहते हैं कि हाई कोर्ट्स और सुप्रीम कोर्ट रिट के नाम पर एक दारोगा की टांसकर को रोक न दे। जमीन के बंटवारे का प्रश्न आए तो फौरन रिट न लगा दे। हम चाहते हैं ऐसा परिवर्तन ताकि डागा जी के महलों पर और महल उठते चले न जाएं और मेरी झोंपड़ी रोती रह जाए। यह परिवर्तन हम चाहते हैं। और यह यह है कि अगर देश की करोड़ों करोड़ जनता को रोटी मिलनी है, समाजवाद की बहुत सी परिभाषाएं हैं, लेकिन मेरी परिभाषा यह है कि समाजवाद के अंदर, हिन्दुस्तान में हर नागरिक को रोटी, कपड़ा, मकान, स्वास्थ्य और शिक्षा मिलनी चाहिये। इन पांच चीजों के मिलने के लिये संविधान में अगर सैंकड़ों परिवर्तन करने पड़ें तो वह परिवर्तन किये जायें।

आज खेत, खलिहान और हर जगह में पुकार आती है कि नहीं मानेंगे वह संविधान, जिसमें तुम को खाते-खाने मरने का अधिकार हो और हमको बिना खाये मरने का अधिकार हो। अंत में मैं यह कहना चाहता हूँ कि देश के हर कोने से यह आवाज आ रही है—

नहीं मानेंगे यह कानून जो मुझ से गरीबी पट्टा लिखाता है,

मिटकर झोंपड़ी मेरी जो महलों को रिखाता है।

खा-खाकर मरेंगे वे, मौलिक अधिकार उनका है।

बिना खाये मरे हम, यह अधिकार मेरा है॥

इसलिये हम संविधान में परिवर्तन करना चाहते हैं।

SHRI AMARNATH VIDYALANKAR (Chandigarh): Sir, there is a lot of talk about fundamental rights. But what is fundamental is that without a society, there can be no right. All the rights are founded in the society. Those who are talking of fundamental rights are conceiving our society to be static.



In a static society there may be no change, but in a dynamic society there must be dynamic changes. No society can continue to exist if there is no dynamism or change. If there is change in the society, accordingly there will be change in the Constitution and in the fundamental laws. This basic principle must be applied when we are considering about society.

Property rights have been changing. History shows that property rights have not been static. In every society, in every community, in every country, property rights have been changing. In Vishnu Purana there is a sloka which says :

यावत् विषयान् जठरं तावत्सर्वं हि देहिन्

अधिकं योऽनुमन्त स स्तेनोऽन्वर्तते ।

'What is property ? Upto the point that he can fill his belly, up to the consumption ; he has right on the goods that he consumes. If he wants more, he is a thief and he should be punished. That is the meaning. So, this is not a new concept to us. From society to society this concept of proper right has been changing. So, I do not see any reason why we should say today that the Constitution is static, that fundamental rights are static and society must be bound down to these rights which certain people have conceived to be sacrosanct. No property right is sacrosanct. If we want a socialistic society, naturally the rights will change and property relationship must also change. The structure of society depends on property relationship. If the structure of society is socialist the property relationship also must change.

I wholeheartedly support the resolution of Mr. Unnikrishnan which is very important and timely. I think our Constitution should be reviewed properly not only in the matter of fundamental and other rights, but in other matters also and the Constitution should undergo changes from time to time so that the society may progress. Ours is a dynamic society and natu-

rally dynamic changes are required. If Parliament supports the progress and development of society, we must also support the dynamic changes and have amendment, in our Constitution.

SHRI P. G. MAVALANKAR (Ahmedabad: Mr. Chairman, Sir, it is good that my friend, Shri Unnikrishnan, has moved this Resolution because he has at least given us, the Parliament, an opportunity to discuss the controversial and fundamental question of changes in the Constitution in a very cool and considered manner.

A country's Constitution can never be a static document especially when such a country is a dynamic and a rapidly developing democratic polity. In such an atmosphere, the Constitution even though it may be good to start with, it may need changes here and there and, therefore, the need for the change is self evident. The very fact that the founding fathers of the Constitution incorporated Article 368 elaborately in the Constitution, shows that they also wanted the Constitution to be amended from time to time as per the needs and requirements and challenges of changing times.

Now, the first question is whether such a climate for change or such a debate for change can take place only in Parliament or only within the circles of the ruling party. Again and again, the Prime Minister and the Law Minister and other responsible people have been saying that this is a matter on which all much express their opinions. But I want to ask the Law Minister and I hope he will be honest in replying to this particular question, whether there is any atmosphere today wherein honest expression of opinion, comments and criticisms of the working of the Constitution is available through the Press, through the Radio, through the television and through public meetings. As long as there is emergency with censorship and gagging of free opinion and dissent, I do not know how one can have a climate of free debate. I, therefore, urge the Government, in the interest of the need for a free and proper debate about the

[Shri P. G. Mavalankar]

a free and proper debate about the changes in the Constitution in order to have better deal for our teeming millions, to left this emergency and the accompanying censorship and gagging up of free opinion and dissent, as early as possible, so that the debate is not only a national debate, a full debate but also a free debate.

My second point is that the changes that we make in the Constitution must be the changes which make the Constitution after such changes, more democratic, more serviceable, more useful and more workable.

In the very first sentence of Shri Unnikrishnan's Resolution, a mention is made of 'experience of the working of the Constitution.' We should really fix our attention on the past experience. It is no use merely making political speeches whether inside Parliament or outside Parliament. We can go on making speeches, hot speeches but this is not an election campaign issue. This is an issue of life and death for millions of our countrymen. Therefore, although it stirs our deepest emotions and passions, surely the debate must be dispassionate as far as it is possible for human beings to be dispassionate and objective on these matters.

My third point is that if the Constitution is to be made more democratic, useful, etc. then we must see that no amendment is sought to be made in such a way that the Constitution goes backwards rather than forward.

Well, Sir, the Constitution is both a means as well as an end. To the extent, it is a means, let us change it. But to the extent it is an end, let us not change it.

Since the time is short, I shall briefly refer to two points. I came across two very fine quotations from Pandit Jawaharlal Nehru's speeches published in a new book edited by our own Secretary-General, Shri Shaktidhar "The Constitution and the Parliament in India—The 25 Years of the Republic" in which many studied articles of value have been included. I will not take time

of the House in reading out these two quotations from Nehru. My point is that if you take the founding fathers of the Constitution—Ambedkar, Nehru, Rajendra Prasad, Maulana Azad, Sardar Patel and the whole galaxy of eminent individuals and jurists—I am sure they also wanted India's teeming millions to be better in terms of their all round welfare and they wanted an egalitarian society. They wanted the social status of each one of us to be raised. Now, sir, the question as Mr. Unnikrishnan has brought in the Resolution, boils down on two aspects: property rights and judicial review. Property is, of course, individuals; but it is the result of social circumstances and is a product of social situations. It is earned by me, because I am a member of the society. So, the individual has or I have no property against the society, or for me alone, irrespective of social obligations. I do not, therefore, say that the right to property must not be curtailed; there must be restrictions, regulations and curbs on individual property; but elimination altogether of the institution of property would not be in tune with the general principles and spirit of our democratic Constitution.

As regards judicial review, I would say that frivolous appeals and frivolous litigations must go; and the Law Minister must bring in such amendments as well enable such frivolities to be dispensed with. But again there is a point of judicial review where the philosophy of the judge also comes in. It also comes on out the matter of recruitment and appointment of the judges. I see that quite a few of the judges are conservative. Nonetheless the important thing to remember is review gives an opportunity for our basic democratic structure to be kept intact. It must remain unaltered. The Directive Principles of State Policy and the Preamble, both, in our Constitution are a very happy combination of Fabian socialism and Gandhian Sarvodaya ideals. If they are good paper, why can't they be seemingly good in practice? It is not the document which is bad; it is our unwillingness to go

forward in the right direction, on the lines enshrined in the Constitution. If we keep this in mind, I am sure the need for changes will be minimum; and occasional so that the Constitution even after the changes becomes more democratic and workable.

**SHRI K. LAKKAPPA (Tumkur):** I rise to support the Resolution of my friend Mr. Unnikrishnan which reflects the views of the people of this country after an experience with the operation of our Constitution over decades. He has made certain observations. He has of course not specified the directions in which the changes are to be made, in our Constitution. His observations are more or less of a general nature. I speak for the common people who constitute the will of the nation. The will of the people is sovereign. Sovereignty should prevail and it should be reflected in the Constitution. Whether our present Constitution really reflects the will of the people, is one of the important questions to be considered. With this idea in mind, many political philosophers having different political ideologies are debating this question in the country. But ultimately, it is the concerted opinion and will of the people of the country which will prevail. They feel that structural changes are very necessary. Political freedom means that we must work for economic freedom. Whether this Constitution really helps us in working towards economic freedom is one of the important questions that we are considering inside Parliament and outside, every day. But I would like to say that there is a certain rigidity in the Indian Constitution. The provision in regard to the powers and functions of the President of India have been some times compared by certain authors as political graveyard. I would like to draw attention to the rigidity of the Constitution. Sir Ivor Jennings has said:

"India obtained independence after a long controversy between the leaders of Indian opinion on the one side, and the governmental authorities on the other."

Here 'governmental authorities' means the British. In regard to the other provisions of the Constitution, we can compare the parliamentary democracy here with the British Parliament and its functioning.

Sometimes federal structure is there, but the federal structure and its functions are not duly and legitimately considered as to how they are actually operating on the constitutional aspect, in regard to the safeguards to the people and their guarantees.

Even though the supremacy of Parliament cannot be questioned it has been questioned by courts. Whatever may be the powers and functions of the judiciary, they have been enumerated in the Constitution. Sometimes they come in conflict with our thinking on the socio-economic structural changes.

**MR. CHAIRMAN:** He should conclude now. His time is up.

**SHRI K. LAKKAPPA:** This useful discussion should lead to re-thinking on the structural changes which are necessary in the Constitution in view of the socio-economic change. Shri Gokhale is a very experienced lawyer and a learned person. I am sure he will make clear the thinking of the Government.

The property rights which have been mentioned in the Constitution have been opposed by many people. The Left Communists, who are always talking of working for the destruction of the Constitution, have advocated structural changes, in tune with the legitimate will of the people of this country. Therefore, whatever structural changes are necessary, which are in tune with the socio-economic changes, should be brought forward by the Government. I hope all hon. Members will support this Resolution.

श्री सत्यपाल कपूर (पटियाला) : नेयर-  
मैन माहव, पिछले एकसपीरिगन्म मे मालूम  
हवा है कि कांस्टीट्यूशन में बेमिक बेजेज

### [की संज्ञास कपूर]

जाने की जरूरत है। अभी बीबीसी साहब ने भी कहा कि पार्लमेंट की सुप्रीमेसी रहनी चाहिए, सारे देश में इस पर बहस चल रही है। पिछले हफ्ते यहाँ पर सारी इंडिया की बार एसोसिएशन के मंजे हुए वकील आये थे और उन्होंने मीटिंग में फैसला किया और यह प्रोपीनियन दी कि सुप्रीमेसी आफ पार्लमेंट रहनी चाहिए। मैं इस बात को समझ नहीं पाया कि अगर आर्टिकल 149 को विधान से निकाल दें या अमेड कर दें तो उससे सारे मुल्क की जुडीशियरी खत्म हो जायेगी—मैं समझता हूँ यह कहना बिल्कुल गलत और फुजूल है। इस देश में जो विधान को बनाने हैं उनको उसका इन्टरप्रेटेशन करने का अधिकार नहीं है। हमारे बनाये हुए कानून के क्या डिटेल्स हैं, उसका क्या मकसद है, क्या पर्पज है, किस सोशल बेज को सामने रखकर वह बनाया गया है या उसमें तब्दीली की गई है—इन बातों का इंटर्प्रेटेशन करने का राइट आज हम पार्लमेंट को नहीं है बल्कि उसके इन्टरप्रेटेशन का राइट सुप्रीम कोर्ट को है। सुप्रीम कोर्ट जो इन्टरप्रेटेशन कर दे वह इस मुल्क का कानून बन गया—मैं समझता हूँ यह बिल्कुल गलत और फुजूल चीज है। इसमें फौरन तब्दीली करने की जरूरत है। हमारे विधान में तीन हिस्से हैं—पार्लियामेंटरी सिस्टम, जुडीशियरी और एग्जीक्यूटिव। सुप्रीम कोर्ट के बारे में अभी यहाँ पर कांग्रेस(भो) के सदस्य कह रहे थे कि अगर हमने यह कर दिया तो सारे मुल्क में जुडीशियरी सिस्टम को नुकसान पहुँचेगा। उन्होंने पंडित नेहरू का कोट किया। उन्होंने कहा था कांस्टीट्यूट असेम्बली में कि सुप्रीम कोर्ट को किसी भी हालत में हाउस आफ करेक्शन नहीं बनने देना चाहिए। ऐसी बात नहीं करनी चाहिए कि सुप्रीम कोर्ट में बैठे हुए लोग या हाई कोर्ट में बैठे हुए लोग यह कहें कि हमारी पावर हाउस आफ करेक्शन की है।

जुडीरी काय सहे है कि कानून 228  
जो है उसके रहते, जो संसद में बन जानी  
चाहते हैं वह नहीं आ सकती है। और आप  
इसी तरह से राइट आफ-रिट रखेंगे तो  
हमारे मुल्क में हजारों मुकदमों, जो आम तौर  
से लैडसीलिय के सिलसिले में, लैड एक्सीजीशन  
के सिलसिले में, आप कोई कैबिनेट मिनट  
चाहते हैं, उस के सिलसिले में, कोई डबलपेट  
का काम करना चाहते हैं, उस के सिलसिले में,  
कोई सड़क निकालना चाहते हैं—उस के  
सिलसिले में, कोई रेलवे निकालना चाहते हैं,  
उस के सिलसिले में, अदालतों में चलते रहेंगे  
और मुल्क का तरक्की का काम आगे नहीं  
बढ़ सकेगा। यह ठीक है कि लैड को हम ने  
अब शेड्यूल में डाल दिया है, उस पर  
अब फर्द रिट नहीं हो सकती, लेकिन पुराने  
केसज के लिये हम ने कुछ भी नहीं किया,  
बे केसेज अभी भी चल रहे हैं, उन को नॉर्फाई  
करने का कोई इंतजाम नहीं हो सका।  
इस लिये इस आर्टिकल को खोज करना चाहिये  
ताकि कोर्टस के राइट्स पर कुछ प्रकुश  
लग सकें। मैं यहाँ पर किसी की नुक्ताचीनी  
नहीं करता, लेकिन ऐसा कई बार देखने में  
आया है कि कोर्ट में जो जज साहब बैठे  
होने हैं, वे इतना भी नहीं सोचते कि जो जमीन  
एवसाय हो रही है वह किस परपज के  
लिये हो रही है, कोई पुन बन रहा है या  
कोई मडक बन रही है। मेरी अपनी कन्स्टी-  
ट्यूटन्सी में हम एक पुल बनाना चाहते थे,  
15 साल से हम उस के लिये कोशिश कर रहे  
थे, पञ्जाब गवर्नमेंट और हरियाणा गवर्नमेंट  
उस के लिये पैमिलिटी दे रहे हैं, लेकिन  
मामला कोर्ट में पड़ा है, कुछ नहीं हो रहा  
है।

मैं आपकी तबज्जह आर्टिकल 311  
की तरफ भी दिखाना चाहता हूँ मैं नहीं  
जानता हमारे ट्रेड यूनियन के लोग इसके  
बारे में क्या फील करते हैं मैं भी किसी  
वक्त ट्रेड यूनियन में काम करता था,

मेरा ऐसा क्या है कि इस आर्थिक व कापी कम्प्यूटर पैदा किया हुआ है। हम इस मुल्क में अपने बीस सूखी कार्यक्रम को इम्प्लीमेंट करना चाहते हैं, तो हम उस में कन्सेशन दे सकते हैं—अपने लो पेड एम्प्लाइज को, बलास 3 एम्प्लाइज को प्रोटेक्शन दे सकते हैं, लेकिन हम में अपने तमाम आइ० ए० एस०, आइ० सी० एस०, आइ० एफ० एस०, पब्लिक सैक्टर यूनिट्स—गर्जकि तमाम ब्यूरो-क्रेट्स को इस आर्थिक के तेहत इतनी पावर्स दी हुई हैं जिसकी वजह से आप कोई भी सोशल बेन्ज मुल्क में नहीं ला सकते, इसलिये उनके राइट्स को कर्ब करना बहुत जरूरी है। यही तीन बातें मैं इस मौके पर प्रार्थ करना चाहता था।

श्री राजेन्द्र प्रसाद यादव (मधेपुरा) : सभापति जी, मैं श्री उन्नीकृष्ण के प्रस्ताव का समर्थन करने के लिये खड़ा हुआ हूँ। वास्तव में यह प्रस्ताव बहुत ही सामयिक है और आज जरूरी हो गया है कि हम अपने संविधान के बारे में फिर से सोचें। आप जानते हैं किसी भी देश का संविधान वहाँ के लोगों की आकांक्षाओं का प्रतीक होता है। लेकिन मुझे दुःख के साथ कहना पड़ता है कि हमारा संविधान हमारे लोगों की आकांक्षाओं का प्रतीक नहीं है। अभी यहाँ पर अनेकों सदस्यों ने कोर्ट्स की तरफ इशारा करते हुए कहा कि आज जितने भी प्रोग्रेसिव स्टेप्स लिये जाते हैं, उन को कोर्ट्स के माध्यम से रोक दिया जाता है और कहा जाता है कि यह संवैधानिक कार्यवाही है, संविधान इस को ऐसा ही मानता है। मैं पूछना चाहता हूँ—यह संविधान किस के लिये है? यह संविधान क्या किसी एक आदमी के लिये है या चन्द लोगों के लिये है या वह देश की आम जनता के लिये है।

आप प्रापर्टी राइट्स को देखिये—चन्द लोग जो सरकारपति और खरबपति होते हैं, जो इस की मजदूरी से अपनी

दौलत को बढ़ाते जा रहे हैं। बिनाबा जी ने कहा था—सबे भूमि गोपाल की। हम भी इसी सिद्धान्त को मानते हैं और हमारी सरकार भी आज जो कदम उठा रही है, वह उसी तरफ जा रहा है। इस देश की सारी धरती यहाँ के लोगों की है और इसका बटवारा होना चाहिये। अभी लैंड सीलिंग का जिक्र आया, मैं बिहार में आता हूँ—हमारे यहाँ अभी भी हजारों कंसेज कोर्ट्स में पेंडिंग पड़े हुए हैं, क्योंकि यह फैसला नहीं हो पाया है कि सरकार जमीन का बटवारा कर भी सकती है या नहीं?

इसलिये, सभापति महोदय, मैं आग्रह करना चाहूँगा—हम ने बीस मूखी कार्यक्रम देश के सामने रखा है, इस में जनता के अन्दर जागृति आई है, लोग चाहते हैं कि देश में परिवर्तन हो, लेकिन चन्द लोग कानून के नाम पर या संविधान में ऐसा प्रावधान नहीं है—इस आधार पर उस में रोक लगाना चाहते हैं, देश को पीछे ले जाना चाहते हैं। मैं चाहना हूँ कि ऐसी रुकावटों को हटा दिया जाय ताकि ताकि देश आगे बढ़े।

एक बात मैं और कहना चाहता हूँ कि संविधान में अधिकार की बातें की जाती हैं। ठीक हैं, अधिकार अवश्य होना चाहिये। लेकिन उसी के साथ कर्तव्य भी होना चाहिये। आप ने देखा पिछले साल क्या हुआ? अधिकार के नाम पर किस तरह के अन्याय कर किये गये। हमारे बिहार में तथाकथित क्रान्ति के नाम पर क्या कुछ नहीं किया गया। आप यह भी जानते होंगे कि जो अधिकार वास्तव में लोगों को नहीं था, उस अधिकार का भी प्रयोग किया गया और उन्होंने कहा कि हम सेना को भी उक्सा सकते हैं कि वह आज्ञा पालन न करे। तो जहाँ पर अधिकार की बात होती है, वहाँ कर्तव्य की बात भी होनी चाहिये। यदि कर्तव्य की बात नहीं होगी तो

### [ श्री राजेन्द्र प्रसाद यादव ]

केवल अधिकार की बात करने से वह अधूरा रह जायेगा और जो वास्तव में हम चाहते हैं वह नहीं कर पायेंगे।

स्वतंत्रता का प्रविधान है संविधान में। तो स्वतंत्रता किस प्रकार की? केवल गाली देने की, या सही बात कहने की भी। आप ने देखा गये साल देश में किम तरह की नाजायब बातों की गई, मदन भन्दार और बाहर भी। इसलिये स्वतंत्रता अवश्य हो, लेकिन उस पर रेस्ट्रिक्शन होने चाहिये ताकि वास्तव में सही माने में स्वतंत्रता हो। संविधान में कुछ न्यायभूत आधार दिये गये हैं, लेकिन कुछ उस में रोजी रोटी का भी प्रावधान होना चाहिये। कुछ लोग ऐसे हैं जो स्वतंत्रता के बाद पैदा हुए, वह नहीं जानते हैं कि रिवोल्यूशन में क्या क्या लोगों को मैक्रीकाइसेज करने पड़े। अधिकतर लोग चाहते हैं कि उन्हें भी जीने का सहारा मिले। इसलिये रोजी रोटी का प्रावधान होना चाहिये, रोजगार का प्रावधान होना चाहिये। आज देश में करोड़ों लोग बेरोजगार हैं। सरकार बेरोजगारी को दूर करना चाहती है, लेकिन कुछ इस तरह की अड़चनें सामने आती हैं कि कुछ नहीं कर सकते। इसलिये इस तरह का कुछ प्रावधान ही जिंग में रोजी रोटी का इनकाम हम कर सकें।

हमारा संविधान रिजिड नहीं हो सकता। इंग्लैंड के संविधान में आप देखेंगे जिस समय चाहें संशोधन कर सकते हैं। दूसरा तरफ अमरीका का संविधान है, जिसमें कुछ प्रतिबन्ध लगे हैं कि दो तिहाई सदस्य उस को पास कर सकते हैं, उस के बाद तीन चौथाई राज्य उस को स्वीकार करें। हमारे यहाँ दोनों के बीच का रस्ता है।

हमारे यहाँ यह प्रावधान है कि यदि हम चाहते हैं तो हाउस के जितने सदस्य उपस्थित हैं उस के दो तिहाई सदस्य वोट करके

परिवर्तन कर सकते हैं। दूसरी बात यह है कि उस संवैधानिक संशोधन को 50 परसेंट स्टेट्स मानें। तो हम कुछ रिजिड भी नहीं होना चाहते और इतनी स्वाधीनता भी नहीं देना चाहते कि जहाँ तक नहीं जाना चाहिये वहाँ तक चले जायें। इसलिये यह प्रावधान रखा है।

इसलिये अन्त में मैं विधि मंत्री महोदय से कहना चाहता हूँ कि आप इन सब बातों पर विचार करें और जो देश आज चाहता है, जो जनता चाहती है, उसकी आकांक्षाओं की पूर्ति करें।

SHRI THA KIRUTTINAN (Sivaganja): Mr. Chairman, Sir, first of all, I must congratulate Mr. Unnikrishnan for having brought this Resolution before the House so that the Members of Parliament can take part and give their opinion and also it will lead the nation to give opinion regarding constitutional amendments. But I do not know the intention of Mr. Unnikrishnan. In the last few years, our party has supported all progressive measures that have been brought before the House. After 1971, we have seen, though the Congress party in power has got absolute majority in this House, they have not brought forward any constitutional measures to meet the needs of the people of this country. I am very sorry to say that. If such constitutional amendments are brought before the House, we are here to support them wholeheartedly.

So far as this Resolution is concerned Mr. Unnikrishnan wants constitutional amendments in respect of two matters. One is about the property right and the other is to secure meaningful realisation of principles enshrined in the Preamble and the Directive Principles of the Constitution.

Regarding the second one, the mover of the Resolution wants the supreme

macy of the Parliament, a federal structure, the legitimate rights of the minorities, the tribes and other sub-merged sections of our population. Let us take the first one. It is true that the law has become an umbrella for the vested interests of all sorts of wealthy classes raising legal defence of their privileges with the best talents in their service. The same legal talent is not available to the poorer sections of the community as they cannot pay for it. Therefore, to reduce the concentration of wealth in the hands of a few and to lessen the disparities, it is necessary that the fundamental right to property be removed from the Constitution.

I do not object to a careful review of the working of the Indian Constitution and removal of such difficulties and defects as have been experienced in these 25 years. But every effort must be made to see that the democratic character of the Constitution is not diluted. I am for constitutional changes and my party, the DMK, has been repeatedly pressing for constitutional amendments of all these years. So I would welcome any amendments to the Constitution for implementing the socialistic policies. But the basic structure of the Constitution, such as the parliamentary system of government and its federal character, should remain undisturbed. While I welcome the change in the rigidity of the Constitution, nothing should be done which would disturb basic structure of the Constitution. By basic structure, I mean the legislature, the executive and the judiciary. I also feel, among others, that a constitution should not be looked upon as a static document that merely lays down the necessary ground rules for running the country's parliamentary system but it is a live instrument that has to be revised at reasonable intervals of 20 or 25 years to meet the requirements of the changing situation.

Regarding federalism and Centre-State relations, I want to say something. Soon after the Constitution

began to work, there was a growing realisation of the strong domination of the Centre, not only on general policies but also in the spheres to which exclusively belonged to the States and the tendency on the part of the Centre to exercise control over the States drastically affecting the autonomy of the States. Strong feelings have been voiced against the attitude of the Centre in curtailing the powers of taxation enjoyed by the States before the introduction of the Constitution and the manner in which the Centre has been interfering with the powers of the States ever since.

Only one quotation. On the 17th June 1967 presenting the Budget to the legislature of Tamil Nadu, our great leader, Anna said:

"The Constitution had already provided for considerable concentration of powers in the hands of the Central Government. Through a new institution which was beyond the key of the architects of the Constitution, the centre has acquired still larger powers causing concern about the position of the States. This new development relates to economic planning. The powers which the Central Government have assumed in regard to mobilisation, allocation and pattern of utilisation of resources for the plan have reduced the States to the status of supplicants for aid from centre..."

Last point about judiciary and I have finished. Logically and practically the Constitution requires one authority to resolve all constitutional issues. Now we are aware that our Constitution provides a judiciary with independent powers for the purpose. This system should continue. Nowadays much has been talked about doing away with the independent judiciary. If the executive is vested with this power, it will have in effect an absolute vote power. So, the independent judiciary should continue.

With these words, I thank you.



**PROF. NARAIN CHAND PARASHAR** (Hamirpur): I rise to support the Resolution introduced in this House by Shri Unnikrishnan. He has done yeoman's service to the task of constitutional development in this country by presenting this Resolution at a time when the people are also taking interest in constitutional reforms.

The Constitution is a symbol of the aspirations and hopes of the people and when I look at the Constitution the first word that comes to my mind in the preamble is 'Justice'. It is significant—Justice—social, economic and political. Social comes at the first place, economic at the second and political at the third. Justice comes before liberty, equality and fraternity because if justice is denied, there can neither be any liberty, nor equality nor fraternity. Taking my cue from this I plead a constitutional reform should be initiated in the nature of not tinkering with one Article or another but as a whole with the entire Constitution to see that the spirit with which this Constitution was adopted by the Constituent Assembly on 26th November, 1949 should be promoted in the times to come.

I want to ask a fundamental question—when the courts have the power under Article 329 to challenge the very election which represents the will of the people, the sovereignty of the people, in the form of the election of the representatives being sent to the House, I fail to understand how the Parliament is supreme. When a person represented by a million people is being denied of the opportunity to sit in this House simply because he has to attend to his petitions which are being discussed day in and day out or debated for petty reasons in the courts of law, I think, to think that Parliament is supreme is only a wishful thinking. So, I want that this Article 329 should be enlarged and part (b) of it should be deleted and the true sovereignty of this House and the will of the people should be restored and

given once for all by taking away the entire electoral process out of the purview of the courts, because until and unless we do so, we are not doing true interpretation of the word 'sovereignty' and the true meaning of the 'will of the people'.

When the delimitation of constituencies which is the basis of the entire electoral process is beyond the purview of the courts, I fail to understand why the process of election should be subjected to the courts; and we have seen that the time has come when we must understand very clearly as to what we mean by sovereignty.

Article 144 says that all authorities of the country, civil or otherwise should aid the Supreme Court, and Article 141 declares that a law in this country shall be the one as declared by the Supreme Court.

The word 'declared' is significant. It is not as framed but in the process of time certain brains have come in this country which have given more connotation to the word 'declared' than it requires lexicographically or semantically or even otherwise through usage. They have tried to see that the Supreme Court not only declares law, not only interprets law but makes law on the basis of precedent, which process is, of course, a fraud on this Constitution. I would like to suggest that the Constitution should be reviewed in such a manner, it should be amended in such a manner as provided in Article 368—that the entire Constitution reflects the supremacy of the Parliament, restores supremacy to the people and also ensures justice, social, economic and political to the poorest section of our society and also to those who are living in the remotest area of our country. I want that a new Article 371 (g) after (f) should be added to make it binding on the Parliament and the Government of India to provide adequate funds for the uniform development of the entire country and for

the balanced development of all the regions of the country which have not been given their due. Constituted as a federal system of States and Union Territories, this system cannot provide for those areas which have poor representation in the House. The representatives of the people, whether they are living in far-away snow-bound areas or in areas which have Union Territories, or areas which have no legislature, whatever that may be, they should have their views freely reflected in this House, I say, not only reflected in this House, but respected in this House. And this cannot be guaranteed unless the Constitution ensures social and economic planning in this country which is in tune with the spirit of the Constitution, which seeks to give to the country and to the countrymen of this great nation, justice, social, economic and political. I support the Resolution and I call for a framework in which the entire Constitution is thoroughly reviewed and radically altered in order to suit the spirit of the times and also to fulfil the aspirations with which this Constitution was adopted on the great day, the 26th November, 1949.

**SHRI K. NARAYANA RAO (Bollu):** Mr. Chairman, Sir, the Resolution moved by hon. friend Mr Unnikrishnan is timely. I wish to make a few observations on this.

The hon. Prime Minister Shrimati Indira Gandhi has called for a national dialogue on the desirability of making changes in the Constitution so that we can have a clear picture emerging out of it. The Resolution moved by Shri Unnikrishnan is therefore timely, as I said.

Sir, I do not want to make a long speech on this matter. The hon. Prime Minister's call for national dialogue is not confined to examination of any particular provision of the Constitution, or group of provisions, but it related to the examination of the whole working of the Constitution for the past 25 years. That is to say, we

have to see the totality of the functioning of the Constitution to decide whether any changes are necessary. There are various functionaries or creatures of the Constitution. We have got to examine how they have been working for the last 25 years. We have to see in what particular legal context this Constitution was framed. Without meaning any disrespect to the framers of the Constitution, I wish to say this. At that time they had certain limitations when they framed the Constitution. The political thinking and the legal thinking of those times were totally different from what they are today. At that time, the impact of the socialist countries on other countries, that is, the developing countries, was not there. This was totally absent then. Now that these are available, we have to think of changes in the Constitution, in the light of these developments which have taken place.

The second point which I would like to state is this. This is regarding the basic structure of the Constitution. The question is, to what extent we can go. The Supreme Court ruled that Parliament cannot alter the basic structure of the Constitution. Now the issue is whether we have to confine ourselves to this basic structure. Suppose we are confronted with a situation that the basic structure has to be changed, what are we to do? My submission is this. We have to get out of the situation. We have come to the conclusion that we need some basic structural change and we cannot do it under the present provisions. Therefore we have to bring about new provisions.

We should have a total revision of the Constitution. It is not enough if we change this provision or that provision or a bunch of provisions. What we can do is, we can bring about a totally new Constitution by which we can get out of the difficulties put by the Supreme Court Judges in the Keshavananda Bharati case.

[Shri Narayana Rao]

With these words, I wish the Law Minister should reflect the suggestions of mine for the provision for revision of the Constitution. We can act on the revised provision for the revision of the Constitution and not under the amending provision under Art. 368 of the Constitution.

MR. CHAIRMAN: I have got two more Members in the List and then the hon. Minister and Shri Unnikrishnan will speak.

Is it the pressure of the House that we may sit for thirty more minutes?

SEVERAL HON. MEMBERS: Yes, Sir.

MR. CHAIRMAN: Then, we shall sit upto 18—30 hours.

श्री स्वामी ब्रह्मानन्दजी (हमीरपुर) .  
महापति महोदय, अभी यह विचार हो रहा है कि संविधान बदलना चाहिये या नहीं बदलना चाहिये। भाखिर, यह विधान बनाया हुआ किम का है, क्या भगवान ने बना कर भेजा था ? जो चन्द्र आदमी चन कर भेजे गये थे, विधान उन्होंने बनाया है। अब हम सब यहां बालिंग मताधिकार में आये हैं, तो हम इसे बदल सकते हैं।

मौलिक अधिकार क्या है ? मौलिक अधिकार यह हैं कि आपको मोठा अच्छा लगता है, मोटर और हवाई जहाज अच्छा लगता है तो वह सब को ही अच्छा लगता है। क्या मौलिक अधिकार यह हो सकते हैं कि हम बड़ी बड़ी कोठियों में रहें और एक गरीब आदमी जो मेहतर है वह एक शोपडी में रहे ? क्या हमारा मौलिक अधिकार यह है कि हम यहां से उठें, मोटर में बैठें और चले जायें, हवाई जहाज में बैठें और चले

जायें, जाकर अपने कोठियों में बस गये यह मौलिक अधिकार नहीं है।

मानव समाज में झगड़े न हों, इसलिये राजा और संविधान बनाये गए। अगर हाईकोर्ट गरीबी नहीं मिटा सकता है। तो फिर हाईकोर्ट का रहने का मौलिक अधिकार नहीं हो सकता है। अगर पार्लियामेंट और विधान सभाएँ बराबरी पैदा करने में समर्थ नहीं हैं तो वे भी खत्म हो जायेंगी।

कुछ लोग धर्म को मौलिक अधिकार कहने हैं। कुछ लोगों ने धर्म बना लिये। धर्म बनते हैं और मिटते हैं, वे मानव के कल्याण के लिये हैं। अगर उन से मानव का कल्याण नहीं होता है और अधर्म होने लगता है तो उसको बदल दिया जाता है।

यह संविधान इसलिये बनाया गया था कि हमारे समाज को सुख मिलेगा, लेकिन वह नहीं मिला रहा है। गरीब और गरीब होता गया है तथा अमीर और अमीर होता गया है। संविधान का बदलने का बारे में बड़ी बड़ी बहस रही है। अमीरों के लड़के बनी बनी जगह इन्वेस्ट करीर में जा कर पढ़ते हैं और वहां में अग्रेज बनकर लौटते हैं। अगर उन में खुद्वि है, अक्ल है तो उन को कौन मिटायेगा। संविधान को बदलने की आवश्यकता उन लोगों के लिए है जो गरीब हैं, दिनभर भिट्टी खोदने हैं, जिनके पास कपडा नहीं है। जो स्त्री दिन में 4 बार माडी बदलती है, एक एक हजार की साडी पहनती है, संविधान उन के लिये नहीं बदला जा रहा है। जो लोग गंगे हैं, गरीब स्त्रियो है, जिनके पास जूता नहीं है, जिन्होंने मिठाई नहीं जानी है कि क्या है, जिन्होंने पलंग पर सोना नहीं जाना, संविधान का बदलने की आवश्यकता उन लोगों के लिए है।

लोग इस बात पर आपस करते हैं कि श्रीमती इंदिरा गांधी को संविधान को बदलने का क्या अधिकार है। हम कहना चाहते हैं कि जनता ने हमें चुना है। अगर हम संविधान को नहीं बदलेंगे और जनता को आराम नहीं देंगे तो फिर जनता हम को बदल देगी।

मैं दस साल से कह रहा हूँ कि इस संविधान को बदला जाये। संविधान हो गीता, रामायण, वेद या पुराण हो, अगर उनमें जनता का हित नहीं होता है, तो उन को बदल दिया जाये, मिटटी का तेल डालकर फूक दिया जाये।

मैं पहले भी कई बार कह चुका हूँ कि यह मनुष्यों द्वारा मनुष्यों के लिये बनाया गया संविधान है। हम लिये अगर वह मनुष्यों को आराम नहीं पहुँचा रहा है, तो मनुष्यों द्वारा चुने गए पार्लियामेंट के मंत्री उस को बदल सकते हैं। पार्लियामेंट के कुछ मंत्री इस बात से घबराते हैं। लेकिन वे क्या करेंगे। उन के ऊपर जनता की तलवार लटक रही है - जनता यह मांग कर रही है कि संविधान को बदलो वरना खून खराबी होगी। इस लिये हम संविधान को बदल देना चाहिये।

**डा० बल प्रताप सिंह (वागवकी) :** माननीय यश्विन्दाग महोदय, मैं आप का हृदय में आभारों हूँ जो आप ने मुझ को श्री उन्नीषण ने द्वारा प्रस्तुत संविधान में मजबूत सम्बन्धी प्रस्ताव पर बोलने का अवसर प्रदान किया है। मैं उस का समर्थन करने के लिये खड़ा हुआ हूँ।

मान्यवर, हमारे देश में अहिंसावाद, अवसरवादी यथार्थवादी और साम्प्रदायिक शक्तियों ने जो एक भयंकर कूचक रचा था, विश्व की महान और राष्ट्र को महान बनाने में, श्रीमती इंदिरा गांधी ने आपात वाली स्थिति लागू कर के देश को उस से रक्षा की, और साथ ही 20 सुखी आर्थिक कार्य-

क्रम को लागू कर के देश को एक नई दिशा दी यह माननीय सदन, और भारत ही नहीं विश्व के समस्त देश, इस बात से सहमत हैं, कि श्रीमती इंदिरा गांधी के नेतृत्व में एक नये भारत का निर्माण हो रहा है।

श्रीमती इंदिरा गांधी ने संविधान भारत की महान जनता की भावनाओं और आकांक्षाओं के अनुरूप नहीं है। इन लिये श्री उन्नीषण ने संविधान में मजबूत का जो प्रस्ताव किया है, वह बिन्दुल समय के अनुसार है, और बहुत आवश्यक हो नहीं, बल्कि अनिवार्य लगता है। हम समाज का नव निर्माण करना चाहते हैं। जब हम समाज के नव निर्माण की बात करने हैं तो हमारे मस्तिष्क में एक ऐसे समाज की कल्पना होती है, जिस में जातिवाद भाषावाद लिंगवाद, साम्प्रदायिकता और क्षेत्रीयता के लिये कोई स्थान न हो। हमें दुःख है कि भारत को स्वतंत्रता के इतने वर्ष व्यतीत हो जाने के बाद भी आज भारत का शरीर इन तमाम व्याधियों में ग्रस्त है, और ग्रस्त होना जा रहा है। हमें इस देश के शरीर को इन व्याधियों से मुक्ति दिलाने होगी, तभी जा वह हम वास्तव में भारत को जनता के साथ न्याय कर सकेंगे। मुझे लगता है कि भारत का वर्तमान संविधान समाज को इन तमाम कुरितियों को दूर करने में कुछ असमर्थ है। श्रीमान संविधान में सम्पत्ति के अधिकार को जो व्यवस्था की गई है, उस के माध्यम से वह देश के सम्पत्ति वाले लोगों को अधिकारों को रक्षा कर रहा है, अगर जो निर्धन लोग हैं, जिनके पास सम्पत्ति नहीं है, उन को सम्पत्ति दिलाने में, उन के लिये प्राय की साधनों की व्यवस्था कर पाने में वह पूर्ण रूपसे असमर्थ है। इसलिये यह बहुत ही आवश्यक है कि भारत के संविधान का इस प्रकार से संशोधन किया जाय, जिस से सम्पत्ति के अधिकार के नाम पर किसी प्रकार की भ्रष्टाचार न रह सके। मेरा सुझाव है कि उस में इस प्रकार की व्यवस्था की

[ श्री स्वामी ब्रह्मानन्द जी ]

जानो चाहिये कि भारत में कितने की परिवार के पास एक लाख रुपये से अधिक की सम्पत्ति न रहे और कितने की परिवार की इनकम एक हजार रु० से अधिक न हो।

श्रमान् भारत को समद ने समय समय बहुत महत्वपूर्ण निर्णय लिये हैं, जिन को बड़ी सम्पत्ति वालों और बड़े इजारेदारों ने अदालतों में चुनौतियाँ दी हैं। इस प्रकार के हमारे जो निर्णय रहे हैं चाहे भूमि सुधार के मस्य में चाहे शहरी सम्पत्ति के संबंध में चाहे बड़े उद्योगों के राष्ट्रीयकरण के संबंध में बराबर हम प्रकार से उनमें बाध ए आई है। आवश्यकता हम बात को है कि हम भारत के संविधान का हम प्रकार से संशोधन करे कि भविष्य में हम प्रकार की बाध ए उपस्थित न हो और उन तमाम बड़े उद्योगों को, तमाम बड़े सम्पत्तियों को उन से लेकर भारत के तमाम जो बेकार नौजवान हैं उन को सहकारिता के आधार पर वे उद्योग दे दिये जाने चाहिये।

12.33 hrs.

श्रीमन् अन्तिम बात मैं यह कहना चाहना है जैसा कि प्रस्ताव में कहा गया है भारत के संविधान का हम प्रकार से संशोधन किया जाना चाहिये कि जो हमारे देश के अत्यंत आवश्यक पिछड़े वर्ग हरिजन और अनुसूचित जन जातियों के लोग हैं उन के हितों की रक्षा हो। देश के संविधान में उन के हितों की रक्षा की जान बही गई है। लेकिन वास्तविकता यह है कि जिस रीति हमारे संविधान में प्रावधान कर रखा है पिछड़े वर्ग, अनुसूचित जातियों और अनुसूचित जन जातियों के लिये, उन के उन अधिकारों की रक्षा कर पाने में हमारा वर्तमान संविधान असमर्थ है। हमें ऐसे संविधान की आवश्यकता है जो देश को तमाम सर्वहारा और शोषित जनता का कल्याण कर सके।

जान में जो देश का होकर, सर्वहारा और शोषित जनता है उन के संबंध में मैं एक-एक पक्ष कर समाप्त कर दूंगा। उन के बारे में मैं केवल इतना कहना चाहता हूँ :

जिनमें हीर समझकर बुझा दिया तुम ने।  
बड़ी चिरप जलेंगे तो रोखनी होगी ॥

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Sir, this debate has gone on for quite some time, on the last occasion and today. And it was appropriate because the Resolution which Shri Unnikrishnan has brought forward is no doubt very important, and as members have said—I join with them—we should really be very grateful to him for having brought this Resolution and given an opportunity to this House to discuss this very vital and fundamental issue which is now the subject matter of a debate in the entire country. But more than the debate outside the House, a debate in the House has a special and more important significance. It is from that point of view that I very much welcome this Resolution here before the House for discussion. Without any inhibitions or limitation as to time, it has been discussed at great length giving as long an opportunity as possible to all members of the House.

The Resolution is not only important but it is very well-thought-out also. I do not want to read it. For example, it highlights the fact that we have to take into account the experience of the last 28 years: it highlights the fact that significant changes are called for in the constitutional framework; it highlights the fact that amendments, and as he puts it particularly, in the nature of property rights should be carried out. He does not forget, and rightly, that the preamble and the Directive Principles of State Policy of the Consti-

tion, keeping intact the supremacy of Parliament, the federal structure and legitimate rights of the minorities, the tribals, Harijans and other submerged sections of our population, should be realised meaningfully.

Therefore, although I did not read it, I have virtually reproduced everything in it because I thought that this bears re-emphasis that the material aspects of the question have already been dealt with in the Resolution. In the light of this well-thought-out Resolution, the discussion also was in well-directed channels, although I cannot say that every speaker added something new; there was quite a lot of re-emphasis on the same points, as is natural on a subject like this. Therefore, without naming any particular member, without trying to reply to any particular member, I will deal generally with the issues which have been raised.

Now, the first and foremost question, about which I have spoken a number of times before outside on different platforms and here too, is the question of the supremacy of Parliament. I have said, and I repeat, that the people of India, and therefore, the representatives of the people of India who are sitting here, will not tolerate, whatever may come, any erosion of this principle that Parliament in this country is supreme and will remain supreme, and any other body, howsoever high, will have no authority to encroach on that supremacy. An attempt was made, not today but on the last occasion by one or two speakers, with all respect to them, to twist the issue and to divert the attention of the people through their speeches in this House. For example one hon. Member asked: by supremacy of parliament do you mean that a money Bill can be passed in the Rajya Sabha while under the Constitution a money Bill has to be introduced only in the Lok Sabha. I just cannot believe that the hon. Member who spoke did not

understand the whole concept but to my mind it appeared that he wanted to channelise it in a direction away from the main issue, supremacy of parliament. When we speak of the supremacy of Parliament what we really mean is that in respect of its legislative and other functions, Parliament will be supreme and its decisions and resolutions will not be questioned in any other forum. It did not mean that Parliament itself adopts a certain framework, adopts a constitution or passes a resolution and it will flout its own legislation or flout the provisions of the constitution which it has itself passed. I think therefore it was an unfortunate attempt to argue in a direction which really tried to run away from the main issue. So, I repeat that when I say supremacy of Parliament. I mean that Parliament is supreme in the discharge of its legislative functions, including its legitimate right in the exercise of its constituent power, namely, amending the Constitution. That is what is meant by supremacy of Parliament. No reasonable person who tries to understand the issue will argue that Parliament has that supremacy to flout its own constitution which it has made by the requisite majority or by the requisite procedure which the constitution lays down.

Some attempts were made by another hon. Member. I am not saying that the issues are not important. What I am saying is that an attempt was made to create a sort of a scare in the minds of the people. If the power is given for amending the constitution or to have a fresh look at the constitution, it was stated: what would happen to the provisions of the constitution with reference to the protection given to the minorities? What happens to the protection given in respect of religious beliefs, right to worship and so on and so forth? We have been discussing these issues all along and I do not think that it has been in the minds

[Shri H. R. Gokhale]

of anyone that such basic things as the secular character of the constitution, republicanism, democratic character of the constitution should be trifled with at any stage. I presume, not only do I presume, I can also say with confidence, that it is not the intention to do anything which will deprive the minorities of the legitimate rights which had been given to them under the constitution. Therefore, I say that it was really an attempt to scare away people by saying that if parliament was allowed to amend the constitution, what will happen to the minority religious groups or other religious groups? It is really beside the point. Nobody ever, thought or said that the basic things which we have agreed to, namely, we will have a secular state, a republic, we will have a democratic structure, will be tampered with. I have no hesitation in saying that their rights and protection would be there.

When we made the 25th amendment of the Constitution, we made an appropriate amendment in the amendment at a later stage when we realised that a certain protection given to the minorities ought to be preserved. This showed that these things should not be trifled with. But this does not mean that there should be, as somebody said, two categories of citizens. There are basic things in which all citizens must be governed by the same yardstick. Subject to this, subject to the broad principles that we must maintain the secular character of the country, we must maintain the republic, we must maintain the democracy, etc., we must have a Constitution which will enable us to go ahead in the direction of the fulfilment of our objective of socialism about which there can be no two opinions. I can say with a certain degree of confidence that any change which may have to be made will not affect these basic things.

A lot was said, for example, about judicial review. It is true I have been speaking about it myself, other responsible people also have been speaking, almost everyone in Parliament also spoke about it and almost unanimously everyone said, there should be some re-thinking on the scope and powers of judicial review. I do not think anyone at any time ever said that it was the intention to abolish the courts, do away with the judiciary or not to enable the judiciary to review certain matters. But there is a near consensus in the country that on the basis of the experience gained in the last 26 years, a time has come to think whether it is necessary or not to reconsider the scope, the ambit, the powers of the courts in respect of what is known as judicial review. I do not want to pinpoint any article; we know the articles. This is not to say that there will be no courts or no power to review anything. Any constitutional amendment which will be thought of will no doubt include consideration of the question as to whether the relevant articles relating to powers of judicial review ought to be appropriately altered so that such impediments or road blocks as had been created in the past and as are being created even now almost every day, are not allowed to exist in the future. I do not want to prejudge the issue. I have said, the Prime Minister has said and everybody has said that this is a matter of such vital importance and it is not merely the close preserve of the lawyers to say that this or that should be done. Mr. Unnikrishnan has also said it and I agree with it. Although lawyers do play and will have to play an important part, it is not as though lawyers alone can be the ultimate deciding power in this matter, because this is a matter which affects the entire people of the country. Though lawyers are expressing their opinions now more frequently and I am glad about it, I wish people in other professions like teachers—not merely law teach-



ers but other teachers—professors, writers, artistes and everyone concerned, should be involved in this process of taking a decision as to what is good and what is not good. I do expect such a participation in this debate will take place. Only then can this debate be meaningful and effective. As I said, I do not want to prejudge the issue. I really do not know what we are going to do. It is wrong to say that we will do this or that, when we ourselves are saying that we are looking forward to hearing the views of the people and we want a debate to take place on this.

Therefore, while we may have a preliminary idea of certain things, we may have been preparing and doing some exercises in certain directions, it does not mean that we will not respond to what comes out when it is thought that what has come out is legitimate and ought to be accepted.

Sir, I am very sorry that some Members, fortunately they have gone away, talked of democracy. They said that you did this and you did that and how in this atmosphere, how can a debate take place. But do we not respond to what comes out when it not very long ago, when these very people who are talking of democracy had been creating obstacles and obstructions in the functioning of democracy itself? Now, I am not saying in any derogatory manner but they quote democracy; even Satan quoted the Bible. The point is this that if we really intended that the democratic process should function, we should have expected of them to have behaved differently when what they called as real freedom—although I do not believe that real freedom have gone away—were in existence? But what was being done? Was it really the exercise of freedom or was it indulgence in licence? Freedom at any time cannot mean the freedom to destroy the basic values of democracy itself. And if it comes to that,

I have no hesitation in saying that such licence which seeks to destroy democracy, will be curbed and destroyed by legal and constitutional methods.

I agree with my friend, Shri Mavalankar that he is not behind bars. Why? Because he has been using this Forum properly howsoever, he may have disagreed with us. We have no objection to anybody disagreeing with us, opposing us, pointing out to us that here we are right and here we are wrong. He is free to enter the debate and we will listen to him with great respect. There are people like him outside the House who can enter the debate on this and many other issues. But what do we expect of those people who, when the debate was possible not only on this issue but on many other issues, used that so-called freedom....

SHRI K. S. CHAVDA (Patan): He cannot hold any meeting in Ahmedabad.

SHRI H. R. GOKHALE: Why not? He is entitled to hold a legitimate meeting. Surely, he is not required to speak in Ahmedabad only. I do not think anybody will prevent Mr. Mavalankar from speaking in any legitimate meeting.

Some mention was made about a meeting in Calcutta. I must confess that I do not know the full details. But last time, the same hon. Member had referred to another meeting, not with reference to discussion on constitutional changes, but some other meeting that was planned by him, I do not know. Last time, he spoke in a meeting in respect of the unfortunate death of Chou-En-lai. Today, he spoke off a meeting in respect of discussion on constitutional reforms. What is it? I am not justifying anybody who does not allow legitimate and peaceful meetings from taking place, but I do not think, it has so happened. I can vouchsafe that when legitimate peaceful democratic meetings are held by democratic means,

[Shri H. R. Gokhale]

those meetings are held and they should be allowed, and they are being allowed to be held, and democracy to that extent is completely as it was before or perhaps better than before. Here, in Parliament, for example, I wonder whether we would have been able to hold this debate at all in this way if the old situation had continued.

One important suggestion was made with regard to the electoral process. We will consider it separately. In fact, when we moved the amendment last time, subject to correction, I did indicate that in England while it was true that there was a forum consisting of judges who decided this, the ultimate decision was that of the Speaker. It indicates the fundamental principle that the power of control over the electoral processes is that of Parliament. We may not necessarily copy what is happening in England. We need not; but the question is that it is an important matter, on which we should give thought. I am glad that my friend has raised this question. At the appropriate time, we will be able to say something on it. Most of these things have been said. Mr. Unnikrishnan's points have also been dealt with by some of our friends, to a fuller extent. My task has been lightened. I do not want to add anything further. I want to request Mr. Unnikrishnan not to press his Resolution, but to withdraw it; not because I am not in agreement with the principles behind it, but because we ourselves are saying that there should be a debate, which we want to hear. If Parliament passes a Resolution on this question, we would really be forestalling a debate. To the extent the hon. Members have expressed their views, it is going to help that debate. Therefore, the hon. Member's Resolution has served more purpose than what it would have served had it been passed. As such, I request him to withdraw the Resolution, while at

the same time thanking him for bringing it.

**SHRI K. P. UNNIKRISHNAN:** Mr. Chairman, Sir, at the outset, I can assure you that I do not want to take more time than is necessary; and I shall confine my remarks in reply to certain brief observations. I am deeply indebted to many hon. Members and grateful to the hon. Law Minister, Mr. Gokhale, for taking part in what I thought, was a significant matter to be debated at length by this House. I am also thankful to the House for having given me its indulgence for nearly 5 hours and 45 minutes. I am thankful to all those who have participated in this debate.

My main purpose in moving this Resolution, as I had emphasized while introducing it last time, was that if the Constitution were the result of social experience—and to specify it and put it in a better way—the experience of working a Constitution alone should guide us while dealing with it—and nothing else. We cannot call the Constitutional provisions “primordial, transcendental” or anything of that kind, as one of our learned Chief Justices had referred to the Fundamental Rights, in a controversial judgment. My only purpose was to seek significant changes to seek a review, or, more than that, to call for a national debate; and to initiate that debate in this House. I do not want to go into many other details and points referred to by many hon. Members here. I would say that primarily, my idea was to put a proper focus on the debate on the need and desirability of having constitutional changes, or changes in our constitutional framework.

That is why I had not specified anything further; my friends Mr. Dag and Mr. Naik had asked me about it. I am sorry they did not understand the purpose of my Resolution. I would only briefly refer to certain things. I am glad that Mr. Gokhale has refer-

red to certain remarks made by two hon. Members last time; and I would refer to certain remarks made by one distinguished Member who was a Member of the Constituent Assembly, Mr. Frank Anthony. Mr. Frank Anthony said,—and right'y so, that ours is a constitutional democracy; but he further said that the most distinguishing features—or the only distinguishing feature—of this Constitution—are the separation of powers and judicial review. There was nothing else in this Constitution! Separation of powers, as a political doctrine at a particular point of time and history; did evolve in Europe. It was accepted by democracies and it found expression in various Constitutions, but this was not to be a permanent penacea. Unfortunately, Mr. Frank Anthony is not a political scientist; he is a lawyer! Never has it been suggested that by the doctrine of separation of powers it is presumed that State powers are put in water-tight compartments, that you cannot move one from the other, or that you have to confine the whole thing into water-tight compartment!

MR. CHAIRMAN: In our Constitution there is no separation of powers.

SHRI K. P. UNNIKRISHNAN: I was about to remark that; I am thankful to you.

I am sorry that Sri Frank Anthony tried to divert the whole debate by taking it in a different direction by referring to the various cases regarding minority rights in our Constitution. Primarily what I wanted to emphasise and what I claim has found acceptance in this House, I would say, is that Constitution is a political instrument. The validity of the Constitution, I would further contend, is extra-legal; it is not merely legal, it is extra-legal.

But what is the most important thing about law, the legal processes and more so about the Constitution, I

would say is its social acceptance. If the Constitution is not accepted by the Society then it can no longer be valid! Even if the spirit of the Constitution is not accepted, as we have seen in this House, as we have seen in this country in recent months unfortunately, it tries to derail the whole system, it tries to derail the whole Constitution itself. So, the most important point I would emphasize about the Constitution is that its social acceptance must be preserved, and to preserve its social acceptance we will have to move with the times, in response to the changing rhythms of social values.

I am glad Sri Stephen referred to the constituent powers of the Parliament. An assertion of these powers is very vital for the preservation of democracy in this country.

I am sorry, Sri Somnath Chatterjee referred to the whole amending process in a way as though we have been dealing with changes in the Constitution in a frivolous manner. I would say that it was an insult to the House to say that we are dealing with this question in a light-hearted way. He also referred to the special protection given to certain laws by placing them in the Ninth Schedule. If the House in its wisdom found it necessary to include certain laws in the Ninth Schedule and give them special protection; it was only because we felt it was necessary to preserve the system itself, so that the system itself did not get derailed and that the system was not used as an instrument to sabotage the system itself.

Similarly, on the question of judicial review, it has never been my conception, and I do not know if a proper understanding of my Resolution can take any Member to such a logical conclusion—that I wanted the abolition of the judiciary! I never said it in my speech, nor could it be deduced from any of my references either. What I said, as right'y pointed

[Shri K. P. Unnikrishnan]

out by Shri Gokhale and earlier by you, Mr. Chairman, in your contribution, was that we have to find the parameters of judicial review and also find out how far the judiciary can go. If the Constituent Assembly in its wisdom, or the Parliament in its wisdom has made some provisions, as pointed out by Shri Jawaharlal Nehru in the Constituent Assembly, we are not binding our successive generations. If the House in its wisdom finds it necessary to go in for some changes, we will have to do so.

It is also an amusing thing to note that while for a constitutional amendment in this House we need two-thirds majority, the entire amendment can be dismissed in half a sentence and half a minute by a single Judge Bench of the Supreme Court, which to me is a fantastic principle! So, while paying the well-deserved tributes to the founding fathers of this Constitution, I would say that judicial review must have its limitations. Even in countries like Australia, Canada and elsewhere we have found that the whole process of judicial review, the meaning and content put into it has been creating problems. So, I would repeat my earlier plea that articles 32, 141 and 226 will have to be gone into in detail and reviewed.

The question has been raised regarding the right of property. Unfortunately, even some of my friends on this side have misunderstood me! It is not my idea that there should be no legal right of property. I certainly want legal rights of property. Mine is not a Utopian or anarchist idea of abolishing property or having communes or anything of that kind. The only idea was, as I quoted Justice Hidayatullah last time, that it was unnecessary to have put the right of property in the fundamental rights chapter of the Constitution. The entire legal history of the last 26 years

ever since the Supreme Court came into being and the decisions of the High Courts and the Supreme Court will bear me out, I am sure, that this has to be taken out of that chapter because primarily property, without getting into any kind of debate on any dogma, I would say is the result of social intercourse and it has to be regulated by the State, and it will also have to be regulated also by executive action. There can be no running away from this fact, and that is why I would say that I was surprised to listen to Mr. Somnath Chatterjee talking about "what remains of the remnants of property rights"; after amendments to the article 31!

I do not know if he is a Marxist, though he is in that party, but he talked today more like a lawyer, a liberal intellectual, and also as a prisoner of his own party for the sake of political convenience of his party and a prisoner of the system which probably is beneficial to him! As I said, my idea was only that this right should be taken out of the chapter on fundamental rights.

Another important area which I would like to emphasize is that of Centre-State relations. I should have thought that some of my friends would have raised these vital questions because there are a number of questions like Central and State finances, the role of the Finance Commission etc.—I am glad that you Mr. Parashar mentioned it—and also the question of regional imbalances. It affects the federalizing process which is a continuing process, it affects the federal features of the Constitution, it affects the whole system because the Union of ours is not like any other federal system because I would say that fundamentally we are so many different cultural entities! When I say this I hope nobody will misunderstand me. It is a fact of Indian history that right from the Bhakti movement to this day there have been powerful as-

assertive regional cultural forces operating in this sub-continent. It was our misfortune that our neighbour did not understand this and it resulted in its break-up. So, I would say that there are areas of national activity which have to be co-ordinated and planned, and that is why we have a Planning Commission, an instrument which is outside the purview of the Constitution. May be because the Planning Commission came into being after the Constitution and we could not conceive of the nature and rightful sphere of its activities, it could not find a constitutional place, but I would say that, as has been pointed out by a few friends, we can combine the functions of the Planning Commission and the Finance Commission, and such a Planning Commission must be given a permanent place in the Constitution itself.

A lot has been said about the demand for autonomy. However learned he may be, Justice Rajamannar, who went into the question as a result of a resolution of the Tamil Nadu Assembly, completely misunderstood the idea and concept of the Union itself. The word "Union", I am sure you will bear me out, has a particular significance in the context of our Constitution. So, when we demand "autonomy", it must be put in proper focus and in the background of the Union. Unfortunately, our friends who have been campaigning for "autonomy" have ultimately turned out to be the enemies of the Union, and from that step it is only another step towards their own earlier pet theory of secession. I would demand more powers for the States. But also in certain spheres, I would demand more powers for the Union. That is why I say, these changes can be undertaken when a proper review is made. What we are seeking is, harmony, not homogeneity; unity, not uniformity.

We will have to put down also the forces of linguistic chauvinism and fight these anti-national elements. Re-

garding the strengthening of our secularism. I am glad that Mr Gokhale has made that point, that these forces will have to be put down ruthlessly. I would urge upon the Government that some of the communal parties will have to be permanently and constitutionally banned. Formation of such organisations will have to be considered even as an anti-national act by the State.

Before I conclude, I would say, as Mr. Kokhale suggested elsewhere, there should also be a chapter of fundamental duties of citizens and that will be a useful addition to our Constitution. But I am not merely content with changes in the Constitution. The Rules of Procedure of this House will have to be changed, modified and the Parliament itself re-structured. Everything will have to be gone into. All aspects of legal framework will have to be gone into. I hope, in the new climate that prevails in the country, we will be able to do it. After all, a polity evolves and fulfils itself. We have reached a point where we have to have a date with our own destiny, and promises to fulfil. I am glad that my hon friend, Shri Amar-nath Vidyalankar referred to *Vishnu Purana*. I have also found one quotation from *Upamishads*. It says:

*"Law is the king of kings, far more rigid and powerful than them; there is nothing higher than the law; by its wide powers as by that of the highest monarch; the weak shall prevail over the strong"*

That is the basic idea. I hope, in our deliberations in this very House, during the days to come, we will be able to adopt such concepts by which we can bring about necessary changes.

In deference to the request of the hon. Law Minister, I withdraw my Resolution. I, once again, thank everyone who has taken part in the discussion. |



MR. CHAIRMAN: Is it the pleasure of the House that the hon. Member be allowed to withdraw his Resolution?

HON. MEMBERS: Yes.

*The Resolution was, by leave, withdrawn.*

developing countries and to take concrete measures to bar the entry into the nation's economic life of foreign and particularly U.S. multinationals."

Perhaps, Sir, I shall be permitted to continue the next day.

MR. CHAIRMAN: Yes. The hon. Member may continue the next day.

SHRI B. V. NAIK (Kanara): Sir, there is an amendment of mine.

MR. CHAIRMAN: Not now. He has just formally moved his Resolution.

After his speech is over then only you can move your amendment. The House stands adjourned to meet again on Monday at 11 A.M.

18.40 hrs.

*Lok Sabha then adjourned till Eleven of the Clock on Monday, April 5, 1975/Chaitra 16, 1898 (Saka)*

# RESOLUTION RE.

## MULTINATIONAL CORPORATIONS

SHRI H. N. MUKERJEE (Calcutta-North-East): Mr. Chairman, Sir, I beg to move:

**"In view of the latest disclosures in several countries of the subversive and corrupting activities of the multinational corporations, this House urges upon Government to exercise the utmost vigilance against this menace which confronts all**